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1987

Time change in the Philippines Evolution of the Aquino government

Mark Turner, editor



Political and Social Change Monograph 7



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REGIME CHANGE IN THE PHILIPPINES
THE LEGITIMATION OF THE AQUINO GOVERNMENT



MARK TURNER

EDITOR

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Australian National University
Canberra, 1987**

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1987

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First published 1987, Department of Political and Social Change, Research School of Pacific Studies, The Australian National University.
Printed and manufactured in Australia by Highland Press.

Distributed by
Department of Political and Social Change
Research School of Pacific Studies
Australian National University
GPO Box 4
CANBERRA ACT 2601
AUSTRALIA

National Library of Australia
Cataloguing-in-publication entry

Regime Change in the Philippines

Bibliography
Includes index.
ISBN 0 7315 0140 3.

1. Philippines - Politics and government - 1973 - .
- I. Turner, Mark M. (Mark MacDonald), 1949 - .
- II. Australian National University, Dept. of Political and Social Change. (Series: Political and social change monograph; 7).

959.9'046

Cover photograph by Wilfredo Salenga,
courtesy of Asiaweek.

GL
1850982
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7/20/88

CONTENTS

Contributors	iv
Acknowledgements	iv
Abbreviations	v
1. People power or palace coup : the fall of Marcos <i>Anne Mackenzie</i>	1
2. The quest for political legitimacy in the Philippines : the constitutional plebiscite of 1987 <i>Mark Turner</i>	58
3. Women, women's issues and the 1987 constitution in the Philippines <i>Marian Simms</i>	102
4. The 1987 congressional elections in the Philippines : context, conduct and outcome <i>Alan Robson</i>	116
References	142
Index	151

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ACKNOWLEDGEMENTS

In preparing this monograph I have received valuable assistance from a number of people. Ron May furnished useful comments on the papers and demonstrated considerable tolerance and expertise while answering my numerous queries on editorial matters. Linda Allen assumed responsibility for the monograph in its latter stages by advising on and organizing the business of production. Lulu Turner performed the tedious task of compiling the index. I am grateful to all these people for their contributions to this volume. However, special thanks and commendations for service above and beyond the call of duty go to Sandra Davies. Sandra succeeded in putting the text into the computer, correcting and modifying it several times and then retrieving the final product. All this was accomplished despite discs which refused to function, bugs which truncated paragraphs, gremlins which shifted margins and the activities of other mischievous inhabitants of the computer.

Mark Turner
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 October 1987

ABBREVIATIONS

AFP	Armed Forces of the Philippines
AMRSP	Association of Major Religious Superiors
ANP	Alliance for New Politics
ASEAN	Association of Southeast Asian Nations
AWARE	Alliance of Women for Action Towards Reform
Bandila	Bansang Nagkaisa sa Diwa at Layunin (a pro-Aquino political party)
BAYAN	Bagong Alyansang Makabayan (New Patriotic Alliance)
CAWP	Civic Assembly of the Women of the Philippines
CBCP	Catholic Bishops Conference of the Philippines
CCA	Coalition for the Constitution's Approval
CCD	Citizens for Constitutional Democracy
CIA	Central Intelligence Agency
CNL	Christians for National Liberation
CODA	Coalition for Democratic Action
Comelec	Commission on Elections
Con-Com	Constitutional Commission of 1986
CORD	Coalition of Organizations for the Restoration of Democracy
CPP	Communist Party of the Philippines
CSM	Christian Social Movement
CWP	Concerned Women of the Philippines

EDSA	Epifanio de los Santos Avenue, Manila
EPZ	Export Processing Zone
FLAG	Free Legal Advice Group
FORCES	Filipinos Overseas for the Ratification of the Constitution
Gabriela	General Assembly Binding Women for Reforms, Integrity, Equality, Leadership and Action (a coalition of anti-Marcos women's groups)
GAD	Grand Alliance for Democracy
ICHDF	Integrated Civilian Home Defense Forces
ICJ	International Commission of Jurists
IMF	International Monetary Fund
INP	Integrated National Police
JAJA	Justice for Aquino, Justice for All
KAANKBAY	Kilusan sa Kapangyarihan at Karapatan ng Bayan (Movement for Philippine Sovereignty and Democracy)
KBL	Kilusang Bagong Lipunan (New Society Movement)
KMP	Kilusang Magbubukid ng Pilipinas (Philippine Farmer's Movement)
KMU	Kilusang Mayo Uno (May 1st Movement)
Laban	Lakas ng Bayan (People's Power Party)
LABAN	Lakas ng Bansa (Power of the Nation Movement)
Mabini	A human rights lawyers' group named after the revolutionary hero and lawyer, Apolinario Mabini
MAKIBAKA	Makabayang Kilusan ng Bagong Kababaihan (Patriotic Movement of New Women)
MFP	Movement for a Free Philippines

MNLF	Moro National Liberation Front
NAJFD	National Alliance for Justice, Freedom and Democracy
Namfrel	National Citizens Movement for Free Elections
NCCP	National Council of Churches in the Philippines
NCRFW	National Commission on the Role of Filipino Women
NDF	National Democratic Front
NGO	Non-governmental Organization
NISA	National Intelligence and Security Authority
NPA	New People's Army
NUCD	National Union of Christian Democrats
OIC	Officer-in-Charge
PC	Philippine Constabulary
PCGG	Presidential Commission on Good Government
PDP	Philippine Democratic Party
PDP-Laban	Philippine Democratic Party-Lakas ng Bayan (People's Power Party)
PDSP	Partido Demokratiko Sosyalista ng Pilipinas (Philippines Democratic Socialist Party)
PKP	Partido Komunista sa Pilipinas (Philippines Communist Party)
PMA	Philippine Military Academy
PnB	Partido ng Bayan (People's Party)
RAM	Reform the Armed Forces of the Philippines Movement
TFD	Task Force Detainees

TOSCA	Ten Outstanding Senatorial Candidates
TUCP	Trades Union Congress of the Philippines
UNIDO	United Nationalist Democratic Organization
UPP	Union for Peace and Progress
US	United States
USAF	United States Air Force
VPD	Volunteers for Popular Democracy

CHAPTER 1

PEOPLE POWER OR PALACE COUP: THE FALL OF MARCOS

Anne Mackenzie

The overthrow of President Ferdinand E. Marcos in February 1986 by a largely bloodless popular uprising and military revolt came as somewhat of a surprise to Philippine watchers and Filipinos alike. The Marcos regime had demonstrated an uncanny ability to ride out major political storms, and there existed a widespread expectation that the dictatorship would weather yet another crisis in disregard of popular sentiment. The events of the 1986 presidential election and its aftermath proved the observers wrong. This paper is an attempt to ascertain the true nature of Marcos's ouster. Was it a triumph of people's power, a spontaneous non-violent uprising which showed the people's refusal to continue obeying Marcos's government? Or was it a *coup d'etat*, the president being betrayed by his long-time defence minister, Juan Ponce Enrile? Or was it a combination of both people's power and a palace coup, and if it was, which was the more significant of the two? Furthermore, what role did the United States (US) play in the events of February? Did Washington have a hand in orchestrating the overthrow of Marcos? A final question related to Marcos's fall concerns the extent to which the events of February could be categorized as revolutionary: was the 'snap revolution', as it has been called in the Philippines, indeed a revolution?

The first section of this paper outlines the Marcos regime in the 1980s. It analyses the long term problems facing the government such as the deteriorating economy, the decreasing solidarity of the ruling elite, the growing opposition - democratic and armed, domestic and international - the worsening human rights situation, and the uncertain state of Marcos's health. The

second section traces Philippine political history from Benigno Aquino's assassination on the tarmac of the Manila International Airport on 21 August 1983 to Marcos's arrival in Hawaii on board a United States Air Force (USAF) transport plane on 26 February 1986. Particular attention is paid to the last month of Marcos's rule. The third section investigates the level of US involvement in Marcos's demise. Subsequent sections deal with the military-coup interpretation of February's events and the people's-power interpretation of those events, with special reference to the church's role. The final section analyses the revolutionary aspects of the fall of Marcos.

There remains one qualification to be made at the outset. It is essential to note that the events of February 1986, particularly the four days of 'people power' (22-25 February), occurred almost entirely within the bounds of Manila. While the provinces voted in the presidential election, and many of the underlying causes of the weakening of the Marcos regime were to be found in the countryside, the confrontation between the people and the government centred on Manila. Indeed, the February uprising involved only the organizations of the traditional, legal opposition; the organizations of the Left, which are strongest in the countryside, boycotted the election, and this effectively isolated them from the popular Manila movement. Those members of the Left who ignored the boycott and participated in Cory Aquino's campaign and then rallied in the streets of Manila had to do so under a yellow (Cory) flag, and not a red one.

The Marcos regime in the 1980s

To understand the forces at work in February 1986, it is essential to appreciate the state of the Marcos regime in the 1980s. Marcos had ruled the Philippines for twenty-one years at the time of his overthrow. Elected as president on a Nacionalista party ticket in 1965, Marcos defied the logic of Philippine elite democracy to be re-elected in a fraud-marred contest, in 1969. Constitutionally barred from a third term, Marcos chose to impose martial law in

September 1972. On the pretence of combatting subversion and general lawlessness, and sweeping away the corruption and inefficiency of the 'old society', Marcos ordered the arrest and detention of most major opposition figures, both moderate and radical. He went on to establish an authoritarian state, with all legislative and executive powers ultimately resting with the president. Cosmetic reforms were introduced with the interim Batasang Pambansa (National Assembly) being elected in 1978, and martial law being nominally lifted in January 1981, but the regime retained its essentially personalist authoritarian character.

Martial law was necessary, Marcos claimed, to promote economic development. Marcos adopted a more interventionist programme of economic development following the then-predominant trend in the Association of Southeast Asian Nations (ASEAN) toward state involvement in, and regulation of, capital accumulation and industrialization. He was apparently vindicated for the years 1973 to 1979 when GNP grew at an average annual rate of 6.9 per cent, in contrast to the average of 5 per cent in the years 1960 to 1972 (Lindsey 1985:30). Much of this growth stemmed from the further opening-up of the economy to foreign enterprise. Marcos established Export Processing Zones (EPZs), wholeheartedly embracing the World Bank's development strategy (Bello *et al.* 1982). He borrowed heavily to finance the expansion of the Armed Forces of the Philippines (AFP), corporate equity investment, his wife Imelda's 'city beautification' sprees, and self-enrichment.

These spending priorities highlight the essential weakness of the Marcos economy: the contradiction between two imperatives, that of the regime's short-term political survival and that of the country's long term developmental needs. This contradiction was exacerbated by the unfavourable international economic conditions of the 1980s, and by 1985 the Philippines had accumulated a massive foreign debt of between \$US26 and \$US29 billion and a growing debt service burden, poor terms of trade, and negative domestic growth (Manning 1984:396; *Far Eastern Economic Review (FEER)* 23 January 1986). Marcos sought to entrench his power by positioning his 'mates' or 'cronies' as they became known, in control

of strategic sectors of the economy. Cronyism was an inefficient and vastly expensive way to underpin the regime's political control, and it alienated much of the business community. Among Marcos's coterie of cronies were 'coconut king' Eduardo Cojuangco, 'sugar czar' Roberto Benedicto, and Herminio Disini, procurer of Marcos's \$US80 million kickback from the Westinghouse company for the Bataan nuclear power plant (*Sydney Morning Herald* 8 March 1986). 'Ill-gotten' wealth also found its way to loyal servants, such as defence minister Juan Ponce Enrile, who reputedly amassed a fortune which ranks him amongst the wealthiest Filipinos (*Sydney Morning Herald* 3 March 1986).

The most blatant self-enrichment belonged to the Marcoses themselves. It has been alleged that 'Marcos and his wife Imelda were driven by a lust for wealth and power that seems almost pathological. Their extravagance and greed have, more than any other single factor, crippled the economy' (McCoy 1984:25). Documents recovered from the deserted Malacañang palace after their overthrow indicate that the Marcoses' personal wealth in cash and property could total \$A10 billion, with much of it having been siphoned off from foreign aid and international loans (*Sydney Morning Herald* 13 March 1986). Marcos used the Philippines national treasury as his own bank, a bank for which no accurate accounts were kept. International Monetary Fund (IMF) auditors discovered that 'accounting errors' were responsible for the \$US7 billion underestimation of the foreign debt for most of 1983 (Rosenberg 1984:29).

The 1980s saw the US, the IMF, local and international business, and elements of the Filipino administration (the 'technocrats') led by prime minister Cesar Virata and central bank governor Jose Fernandez, attempt to pressure Marcos to reform the economy and liberalize trade. Marcos's intransigence so annoyed the US that it voted to postpone indefinitely the third tranche of the IMF loan due in October 1985 (Villegas 1985:140). In cabinet, the US-trained technocrats usually succumbed to crony expediency. Despite a Virata and Fernandez victory over inflation and interest rates in 1985, they were unable to reverse the continuing

disinvestment initiated by Benigno Aquino's assassination in August 1983. Neither could prevent the government securing P2.5 billion cash from the central bank in the first month of campaigning for the February 1986 election. These funds were used to cover election expenses such as vote buying and crowd hire (*FEER* 23 January 1986).

The average worker and peasant did not benefit from Marcos's economic policies. Admittedly, Marcos's land reform programme did improve the conditions of a limited number of tenant farmers in rice and corn areas, although its primary purpose was 'to protect the regime from rural unrest rather than to redistribute substantially wealth and political power to villagers' (Kerkvliet 1979:113-114). For most Filipinos, martial law saw a decline in real wages and living standards (Lindsey 1985). Malnutrition among children was prevalent. The indirect tax burden increased. The urban poor faced conditions of increased unemployment, inadequate housing and virtually non-existent welfare and infrastructure services. Naturally, discontent was high, but Marcos believed he could ignore the poor, and quiet their protests with the AFP, while simultaneously parrying technocrat, business, IMF and US demands with the warning that he constituted the only bulwark against communism.

The Marcos regime is often said to have rested on three domestic pillars of support - the AFP, the cronies and the technocrats - and one foreign pillar, the US. The cronies constituted the 'Marcos faction proper', their loyalty assured by their dependence on state protection and subsidization of their enterprises. By the mid-1980s, crony capitalism became a liability to the continued existence of the regime. No longer were the US, the 'professional' AFP, business and the technocrats prepared to tolerate the endemic corruption, inefficiency and incompetence of the cronies, seeing them as the chief cause of the economic crisis and the failing counter-insurgency strategy. Marcos, however, displayed no inclination to sacrifice the cronies. He continued to rescue failing crony firms with government bank credit and attempted to further extend the monopolies in 1985 (Villegas 1985:138-140). The

balance of forces within Marcos's inner circle was changing in the 1980s. Defence minister Enrile, considered until mid-1983 as the second most powerful man in the nation and Marcos's most likely successor, lost out to a newly-formed coalition between AFP chief of staff, General Fabian Ver, Imelda Marcos and Eduardo Cojuangco (Hill and Hill 1983:168f). This trio came to dominate in cabinet from mid-1983, sparking concerns that should Marcos suddenly disappear from the political stage, Imelda, Ver and Cojuangco would assume control of the government and so maintain crony ascendance. Such a scenario was an anathema to the US, the professional military, business and the World Bank-inspired bureaucrats (Wurfel 1985:121-124).

Prime Minister Virata led the technocratic lobby, the group of high level administration officials whose managerial ability and links with international financial and development institutions ensured them key positions in the Marcos regime (Nemenzo 1985:48-49). The technocrats shared with the professional military an institutional rather than personal loyalty to Marcos, a disdain for politicians and a belief in a strong executive which would facilitate central planning. In order to implement their model of development, they were not, in principle, opposed to joint technocratic-military rule (Diokno 1985:4; Bello 1984:300), although, in cabinet, the technocrats frequently found their plans thwarted by the cronies. The lower level bureaucrats displayed qualified loyalty to the regime at whose pleasure they were employed. Yet their complacency was shattered by the outrage of the Aquino assassination and the steady decline of their real incomes.

The military consisted of the Armed Forces of the Philippines (AFP) - army, navy, airforce, Philippine Constabulary (PC) - the Integrated National Police (INP) and the Integrated Civilian Home Defense Forces (ICHDF). The National Intelligence and Security Authority (NISA) was theoretically independent of the military. The military was undoubtedly a major beneficiary of martial law, gaining an expanded role in security, law and order, judicial, administrative, developmental and political activities (Hernandez

1985a:184-190). This was accompanied by an increase in AFP size from 55,000 personnel in 1972 to over 250,000 in 1984 (Hernandez 1984:21) and in budget from P604 million in 1972 to P8.8 billion in 1984 (*Bulletin Today* 9 March 1984). Clearly the military had a vested material interest in the continuation of such bountiful conditions. The Marcos era brought the military much further out of the barracks, so that by 1983, all post-Marcos scenarios posited a politically active military (May and Nemenzo 1985).

By 1985, two distinct factions had formed within the military. General Fabian Ver headed the *intégrée* faction, a military parallel to the cronies. The *intégrées* were often appointed to senior positions on grounds of their personal loyalty to Marcos. Many were Ilocanos, the ethno-linguistic group of the president. Their seniority caused much resentment amongst the regular officers, most of whom had graduated from the Philippines Military Academy (PMA) and earned promotion through their military abilities. PC head, General Fidel Ramos, led this regular faction, whose officers found avenues of promotion blocked yet were increasingly posted to insurgency-ridden regions. It was amongst the ranks of the regular officers that the reformist elements were to be found. These elements established the Reform the AFP Movement (RAM) which surfaced publicly in March 1985 (*FEER* 30 January 1986). Ver's implication in the assassination of Aquino and widespread dissatisfaction over the acquittal of Ver and twenty-five others accused of the murder only widened the schism within the military.

The Marcos regime has been described as 'a bureaucratic superstructure constructed on the basis of loyalty to its chief political architect' (Magno 1983:3). It lacked any institutionalized process of succession, an omission which came to undermine it in the 1980s. While an authoritarian ruler remains apparently healthy and competent, the question of succession is kept from the main political agenda. However, Marcos's evident ill-health spurred frantic factional competition and shifting alliances as leading contenders manoeuvred for positions in the post-Marcos era. Enrile's split with both Ver and Cojuangco can be seen in this light.

Another example of succession manoeuvring was the move to restore the vice-presidency in 1983. The US, the technocrats and the reformist military saw the vice-presidency as an institution to facilitate a smooth transition of power, if not the removal of authoritarianism *per se* (Magno 1984:4-5), and as a way to avert a Ver-Imelda grab for power. Clearly, even amongst Marcos's pillars of support, there was substantial dissension by late 1985. It remained for the opposition to provide a feasible alternative.

General Order No 2 of 1972, which ordered the arrest and detention of persons named, effectively obliterated the traditional elite opposition of the 1970s and severely curtailed the activities of the political Left. All political parties were banned, until Marcos resurrected the electoral process in 1978 as a way of legitimizing his rule. The traditional opposition organized to compete with Marcos's Kilusang Bagong Lipunan (KBL) party, but failed to attract mass support until after Aquino's assassination. The Left continued to grow and consolidate although still proscribed.

Within the legal opposition in 1985, there were two main schools: the traditional elite democrats and the non-traditional cause-oriented groups. The traditional strand encompassed the Social Democratic Party led by Francisco Tatad and Reuben Canoy; the United Nationalist Democratic Organization (UNIDO), a loose coalition of sections of the pre-martial law and essentially personalist Liberal and Nacionalista parties and ten regional parties coming together in 1981 and headed by Salvador Laurel; and PDP-Laban, a merger party formed from Lakas Ng Bayan (Laban: People's Power Party), a pro-Benigno Aquino party established to contest the 1978 Batasan elections, and the Philippine Democratic Party (PDP), founded in 1982 by Cagayan de Oro mayor, Aquilino Pimentel and pursuing a 'Christian socialist' programme (Villacorta 1983; Rosenberg 1984; Nemenzo 1983 and 1985). Among the more radical, nationalist, non-traditional, cause-oriented groups were: Jose Diokno's Movement for Philippine Sovereignty and Democracy (KAAKBAY); the Justice for Aquino, Justice for All coalition (JAJA); the Coalition of Organizations for the Restoration of Democracy (CORD) which co-ordinated the boycott of the May 1984

Batasan elections; and the National Alliance for Justice, Freedom and Democracy (NAJFD), formed in 1983 with ex-Senator Lorenzo Tañada as its chairman, and rumoured to be a non-violent Communist Party of the Philippines (CPP) front organization. Although efforts to unify the legal opposition were made, they invariably foundered on personality issues and ideological prejudices, particularly the fear of communist infiltration.

Within the Left, which is loosely synonymous with the 'armed opposition', there are three general ideological streams: Marxist, Christian and Islamic. Each of these is subdivided, but one or two major organizations stand out from the plethora of splinter groups. The Islamic Left is found in Mindanao and the Sulu archipelago where the Moro National Liberation Front (MNLF) has been waging a war for Muslim autonomy since the early 1970s. A peace settlement was negotiated in 1976-1977, but government inaction and continuing confrontations resulted in an upsurge in MNLF activity in 1985 (Villegas 1986:132).

The Marxist Left is both the most powerful and best known component of the Left, although over the years it has been affected by internal factional division. The original communist party, Partido Komunista sa Pilipinas (PKP) was formed in 1930, but its unsuccessful leadership of the Huk Rebellion (1946-1954) virtually destroyed it as a political force, especially after it joined the parliamentary struggle. The new generation of Marxists in the early to mid-1960s, led by Jose Maria Sison (alias Amado Guerrero), seriously questioned the approach and relevance of old PKP theories. Sison's incisive critique of the Huk debacle so strained relations with the old guard that it precipitated the formation of the Communist Party of the Philippines (CPP) in December 1968. The Marxist-Leninist-Maoist CPP formed the New People's Army (NPA) in March 1969 to prosecute the people's war against 'US imperialism, feudalism and bureaucratic capitalism', adapting Maoist strategy to Philippine conditions (Rosenberg 1984).

By 1986, the NPA was operating in at least sixty-two of the nation's seventy-three provinces and could command between

11,000 and 16,500 full-time armed guerrillas (*Sydney Morning Herald* 5 August 1986), with perhaps as many again in the part-time *barrio* militias. NPA numbers have probably been constrained by a shortage of weapons. Nevertheless, defence minister Enrile acknowledged the NPA's inroads, calculating an annual growth rate of 23 per cent since 1981 (Villegas 1986:131). Most CPP predictions of the 'forthcoming Philippine revolution' still talked in terms of a concerted push for Manila in the 1990s (*Philippine News and Features* 8 October 1984; *FEER* 2 January 1986). The bitter lesson of the Huks' overestimation of their strength and effectiveness in the 1950s has been well learned.

The National Democratic Front (NDF) is another CPP organization, formed in 1973 as part of a united front strategy for revolutionary forces. The NDF consisted of approximately twelve organizations but was dominated by the CPP. It provided behind-the-scenes political guidance to various legal, urban and rural sectoral organizations, prominent among which were the Kilusang Mayo Uno (KMU), one of the most active, nationalist, trade union groups in the Philippines; the Bagong Alyansang Makabayan (BAYAN), an anti-Marcos mass-based coalition of cause-oriented groups formed in March 1985; and allegedly the National Alliance for Justice, Freedom and Democracy (NAJFD). The NDF played an integral role in the post-1983 popular upheaval because of its mobilizing capacity, but the CPP's decision to boycott the 1986 presidential elections meant there were no red banners fluttering during 'people power'.

The Christian Left was divided over the questions of collaboration with the CPP and involvement in the armed struggle. CNL (Christians for National Liberation), a constituent sectoral group of the NDF, was the most radical pro-communist group on the Christian Left. Established by Father Edicio de la Torre in 1972 and advocating armed struggle, CNL has been a constant source of irritation and concern to the institutional church, which fears its loss of authority (*FEER* 27 February 1986). Among the other radical Christian groups is the Philippine Democratic Socialist Party (PDSP), formed in 1973 but insignificant until 1978, when it was

'discovered' by a number of concerned bishops and religious superiors who saw it as offering a revolutionary but non-communist alternative which would stem the flow of priests and nuns to the NDF (Nemenzo 1985:54). The PDSP has since split over the Marxist collaboration question (*ibid.* 53; Rosenberg 1984).

The fear of being branded 'communist' paralysed the Roman Catholic hierarchy for much of the 1970s. During this time, the church leader, Cardinal Sin, picked a compromise course between the regime and the people, engaging in a programme of 'critical collaboration'. This approach became untenable with Aquino's assassination; a more active profile was required by the institutional church to halt defections to the Christian Left (Shoesmith 1983:1). This is not to imply that the church was completely silent in the years before 1983. The regime was at times trenchantly criticized, but the criticism was not consistent, unlike the abuses (Youngblood 1981:257). Task Force Detainees (TFD), a human rights organization established by the relatively radical Association of Major Religious Superiors of the Philippines (AMRSP), was the most vocal church critic of Marcos. The Basic Christian Communities were of immense significance in some areas for uniting the people in the struggle for a better life, a struggle which often involved co-operation with the NPA. These developments highlighted the conservative-radical and centre-periphery tensions within the church, tensions which were relieved by an increasingly progressive approach by the Catholic Bishops Conference of the Philippines (CBCP) (Shoesmith 1985:74).

While the US was uncritical of the declaration of martial law in September 1972 there remained an underlying uneasiness that 'Marcos was not a very reliable instrument of US policy' (Shalom 1981:177). The US's international strategic and ideological interests coloured all aspects of the US-Philippines relationship, subsuming even President Carter's interest in human rights (Bello 1984:294). The Reagan administration embraced Marcos as a great anti-communist, democratic ally, extending to Marcos that long-awaited invitation to the White House. By 1983, certain US officials were coming to realize that Reagan's 'benign stance only encouraged

Marcos's worst instincts' (Munro 1984:174). In June 1983, the State Department's 'senior unnamed sources' were declaring the twilight of the Marcos years. Aquino's assassination firmed the State Department's resolve to encourage the emergence of a democratic 'third force' to replace Marcos; hence, the pressure to ensure that the May 1984 Batasan elections were 'meaningful' (*ibid.*; Soriano 1984b:22). A similar logic applies to the 1986 election. The US wanted to appear more critical in its support of Marcos, so as to extract itself from the increasingly popular cry, 'Down with the US-Marcos Dictatorship!' (Poole and Vanzi 1984:30). But as February 1986 approached, it was clear that US attempts to modify Marcos's behaviour with 'quiet diplomacy' had failed miserably.

The Marcos regime faced increasing opposition from the US Congress. Not only were aid bills significantly amended, but congressional representative Stephen Solarz initiated official investigations into the Marcos family's alleged New York property holdings (*FEER* 2 January 1986). Even the US's long term strategic interests were being re-evaluated: alternative military base structures were studied, although invariably rejected on grounds of cost, inadequate alternative locations and inability to replicate the cheap, skilled Filipino labour force (Munro 1984:186). The wisdom of reflex anti-communism was also re-examined, with a number of commentators noting that the US's strategic, economic and ideological interests would be better served by a return to liberal democracy than by helping Marcos in his pig-headed perseverance in Vietnam-style anti-insurgency operations (Solarz 1985; Pringle 1980). Furthermore, there was growing concern within the US over Marcos's human rights record.

The writ of *habeas corpus* was suspended with the proclamation of martial law. Thirty thousand Filipinos were arrested in its first weeks, with Marcos admitting to Amnesty International in 1975 that 6,000 people were still detained (Shalom 1981:170). The suspension of the fundamental rights of the citizen theoretically ended with the lifting of martial law in 1981, although 'numerous features of the law indicate that the Philippines is still a dictatorship' (ICJ 1984:117). Marcos still governed by decree under

the power granted him by constitutional *Amendment No. 6 (1976)*; normal democratic practices, such as criticizing the government, continued to be offences attracting severe penalties; arbitrary and indefinite detention were maintained under the *Preventative Detention Action*; the definition of 'subversion' remained sufficiently broad and ambiguous to allow many civil matters to be tried before military courts; activities of the media and labour remained carefully controlled while judicial subservience was perpetuated (*ibid.* 11-18; Hernandez 1985b:245-252).

The assassination of Benigno Aquino at Manila International Airport in 1983 was the most blatant of many human rights violations by the Marcos regime. Extra-judicial killings, known as 'salvaging', escalated in the 1980s to such an extent that TFD estimated that in the first nine months of 1983, there were 191 individual killings, 126 killed in group massacres and seventy-four disappearances attributed to government security forces in Mindanao alone (ICJ 1984:12). Instances of widespread arrest and detention, torture, village burning and 'hamletting' - 'the herding of rural residents into special camps by military or civilian authorities' (*ibid.* 35) - have been collated by TFD, Amnesty International, the International Commission of Jurists (ICJ), and other local groups such as Jose Diokno's Free Legal Advice Group (FLAG). In the 1970s, the Marcos regime, although authoritarian, had avoided the violent excesses of more ruthless Third World dictators. Any glimmers of enlightenment appeared to be waning in the 1980s. There is evidence that the rate of salvaging was increasing and that of arrests declining: it became easier to shoot people than to gaoil them. A contributory factor in the explanation of this trend could be found in the disease *lupus erythematosus*.

The state of Marcos's health was a constant source of speculation throughout the 1980s. Although always denied by Malacañang, it had been alleged that Marcos was suffering from *lupus erythematosus*, a disease of the immune system which generally attacks the kidneys and brain. It is incurable, but it is treatable with a survival rate of five to ten years (*Asiaweek* 2 February 1986). The liberated Malacañang provided tangible

evidence of Marcos's serious ill-health, and if *lupus* was the disease in question, as seems likely, it provides a key to Marcos's growing isolation in Malacañang in the mid-1980s. It would have been difficult for him to move far from his dialysis machine. Also, one of *lupus's* more serious side effects is paranoia. This could explain Marcos's increasingly unclear and often politically insensitive manoeuvring, and Ver's ascendancy within the inner circle. Marcos's illness further contributed to the fragility of his regime, so that by 1985, his demise appeared inevitable.

The return of the Aquinos

Benigno ('Ninoy') Aquino would have been, in all likelihood, president of the Philippines in 1973, had not Marcos intervened with the declaration of martial law in September 1972. A traditional oligarch and head of the opposition Liberal Party, Aquino was arrested under *General Order No. 2*. There followed seven and a half year's imprisonment and a suspended death sentence on a 'conviction' for murder and subversion. He was released to go to the US for triple-bypass surgery in 1980. The US, however, was a political wilderness for Aquino, particularly with the election of the Reagan administration. While Marcos's legitimacy slowly crumbled, Aquino saw his role as opposition leader being usurped by Diokno and Pimentel, so that by mid-1983 this still ambitious politician from Tarlac in Central Luzon realized he must make his move (Hill and Hill 1983:174-176). Aquino calculated that Marcos would either simply refuse him entry; or detain him, resuming the process of execution in accordance with the military tribunal's judgement; or 'allow Aquino to enter the country freely, ... (waiting) for the appropriate opportunity to have him assassinated in a 'clean' fashion' (Bello 1984:297), avoiding the implication of government involvement. Aquino hoped that he would be left with enough time between his homecoming and the assassination attempt to establish adequate defences. Unfortunately for him, he was not.

Aquino's execution on the tarmac of Manila International Airport on Sunday, 21 August 1983 was 'the spark which set off the

social tinderbox that was urban Manila' (*ibid.* 299). Whoever was, in fact and in law, responsible, it was upon the Marcos regime that the blame was laid. The assassination mobilized the Manila middle classes. Businessmen, managers and white-collar workers joined blue-collar workers and the urban poor in the streets. By mid-week, the Aquino family conservatively estimated that 30,000 people had passed through the family's living room, paying their last respects to Ninoy (*Asiaweek* 2 September 1983). Aquino's funeral on 31 August 1983 attracted millions of mourners (*Diliman Review* 1983:12), prominent among whom were US Ambassador Michael Armacost and Cardinal Jaime Sin. On 16 September 1983, 20,000 well-dressed men and women marched along Ayala Avenue in Manila's central business district, Makati, demanding Marcos's resignation. They were cheered by another 30,000 looking out from the skyscrapers, showering them with yellow confetti (Nemanzo 1983:40-41). A further demonstration of this 'middle class revolt' was the half-million strong 21 September Manila rally marking the eleventh anniversary of the declaration of martial law (Rosenberg 1984:25). The violent dispersal of an ancillary demonstration at Mendiola that evening (Consolacion 1984:5) highlighted the pattern of relations with the military that was to be repeated over the next two and a half years, as the opposition struggled to forge a non-violent, non-communist alternative to Marcos.

Aquino's murder focused the popular, but somewhat diffuse, discontent welling up within many sections of society. It catapulted the leaders of the traditional opposition, who had forfeited much of their popular legitimacy by participating in Marcos's 'pretend' politics, onto the centre of the political stage, as the leaders of the Left were in no position to speak out for the people (either being in gaol or in the hills). It shattered Marcos's tight control of dissent. The greatest *de facto* liberalization came in the media. The alternative 'xerox' press, which had been struggling for survival in the early 1980s, suddenly became the authoritative source of information for Manileños. Newspapers and journals such as *Business Day*, *Malaya* (the successor to *We Forum*, closed in 1982) and *Mr and Ms*, offered independent analyses of events, breaking censorship restrictions with impunity. In November 1983, the

Roman Catholic Church and dissatisfied Makati business groups established the newspaper *Veritas*. In response to this new-found competition, dropping sales and advertising boycotts, the crony press was forced to adopt a more even-handed coverage of the news (Doronila 1985:202-203). The NDF's *Liberation* and the CPP's *Ang Bayan* continued to appear, despite the logistical problems of being the publications of illegal organizations. In 1984, the *Philippine Daily Inquirer* was launched, and *The Manila Times*, closed by Marcos in 1972, reappeared (Bain 1986:30-32). The Catholic Radio *Veritas* remained the sole independent radio or television station of any consequence.

Aquino's assassination sparked a devastating capital flight and demolished the little remaining local and foreign business confidence in a Marcos-led Philippine economy. The assassination also reinvigorated organized labour: strikes and pickets took place in defiance of government bans on such activities in 'export' industries, which included enterprises from shoe factories to banks (Hernandez 1985b:251). The most militant unions were found in the export-oriented, martial law-preferred industries of sugar, textiles and garments, and tourism (*Diliman Review* 1985:19). In the first six months of 1984, 129 strikes were declared (*ibid.*), with many of them being organized on a company or industry basis. However, increasingly the strikes, pickets and rallies were broken up by military force. A pattern of union and labour harassment was established, the most dramatic examples being the Artex confrontation in July 1984 which left five picketers dead and ninety-eight injured (*The Australian* 11 July 1984), and the Escalante massacre of September 1985, in which the AFP's dispersal of a two day *welgang bayan* (people's strike) resulted in twenty-one confirmed deaths, twenty-three unconfirmed deaths, more than thirty injured, with between 160 and 200 people reported missing, presumed dead or arrested (*Simbayan* 1985; *FEER* 10 October 1985). Repression only spurred further protest, and Marcos's cover-ups became more transparent. A ratchet effect was operating: as Marcos exhausted his legal options to quell protest, he adopted military solutions and sought to obscure these by further

legal 'investigations', the hypocrisy of which only resulted in more protest.

The May 1984 Batasang Pambansa elections were a major test of the strength of the opposition. Marcos granted enough token electoral reforms to satisfy the US and split the opposition. UNIDO and PDP-Laban participated, while KAAKBAY, NAJFD, the underground opposition, and a number of more radical traditional oppositionists, such as Benigno's brother Agapito 'Butz' Aquino and Jovito Salonga, formed CORD, a coalition which co-ordinated the boycott (Nemenzo and May 1985; Munro 1984:176). The boycott movement gathered substantial support for its pre-election non-violent demonstrations and marches (Soriano 1984a:5-7), particularly in the rural areas where electoral fraud and intimidation were endemic. However, in Manila, election fever engulfed the middle classes. A key development of this election was the establishment of the National Citizens Movement for Free Elections (Namfrel) a citizens' organization headed by businessman Jose Concepcion which sought to monitor voting and the counting of ballots. Although Namfrel mainly operated in Metro Manila in 1984, it proved a propaganda coup for the opposition, as it exposed Marcos's legitimization elections for the sham they were and provided a model for nation-wide citizen participation in the next election.

The US saw the 1984 elections as a way of placating the articulate middle class, which Washington feared would be further radicalized if Marcos's rule continued unchecked. The US realized that a substantial number of opposition candidates had to win in order to demonstrate that democracy was alive in the Philippines. The high turnout and strong opposition vote surprised many, and was interpreted as a major rebuff to the NDF and CORD boycotters. However, a more accurate assessment could be that the Filipino people 'will take any opportunity they have to show their opposition' and CORD failed because it underestimated 'the degree of anti-Marcos sentiment' (Rosenberg 1984:27). The basic faith in the power of voting, even among the oppressed, remained despite Marcos's excesses, although each additional fraud-marred election challenged its hold.

The opposition's capture of around sixty of the 183 Batasan seats, including eighteen of the nineteen in Metro Manila, in no way diminished Marcos's power. He could still rule by decree and the KBL held the majority in the Batasan. The clearest example of Marcos's predominance was the trial of Ver and twenty-five other military personnel accused of complicity in the murders of Benigno Aquino and his 'official assassin' Rolando Galman. This rigged trial exonerated the accused in December 1985, totally overturning the finding of the impartial Agrava Commission established in 1983 to investigate the murder. By the middle of 1985, a general mood of despondency and cynicism was growing among moderate opposition ranks: Marcos appeared to have 'toughed out' the Aquino debacle, and the only hopes for a change in leadership sprang from Marcos's failing kidneys. The NDF continued organizing quietly, working through BAYAN and causing the resignation of that organization's moderate element, thus highlighting the growing split between the moderate and radical opposition groups (Villegas 1986:130-131; *Asiaweek* 30 August 1985). Ironically, it was Marcos who singularly reinvigorated the opposition by calling, in November 1985, a snap presidential election.

Serious rumours of a snap presidential election started in early August 1985. It was suggested that an election was a concession to the US Congress in return for more military aid (*Asiaweek* 16 August 1985). Although this claim was never substantiated, US pressure was a significant factor in the calling of the snap poll. The Reagan administration's growing displeasure with the course of events in Manila was illustrated by Republican Senator Paul Laxalt's visit to Malacañang in October 1985. Laxalt expressed Washington's concern over the growing NPA challenge and hinted that Ver's reinstatement as chief of staff could prompt Congress to halt aid. Laxalt counselled free and fair elections, the end of crony capitalism and reform of the armed forces. His mission was also designed to end Marcos's assertions of unqualified US support, thus heartening the opposition and RAM (*FEEER* 31 October 1985; Villegas 1986:134).

Other considerations prompting a snap poll included the deteriorating law and order situation, the unabated decline in the economy, Marcos's uncertain health, and opposition disorganization and disunity. All the indicators pointed to the economic and insurgency situations worsening in 1986, so Marcos faced a 'now or never' dilemma. He gambled that the opposition could not unite, and that he could 'win' convincingly enough to satisfy the US of his legitimacy and legally secure himself another six years in office. He announced the poll on David Brinkley's ABC (US) show, *This Week*, on 3 November. By calling an early election, Marcos brought himself 'just enough credibility to prevent the US from disowning him' (*FEER* 21 November 1985). However, substantial questions remained as to the constitutionality of the poll and Marcos's post-dated resignation to take effect upon the inauguration of the new president. On 19 December, the Supreme Court declared the election constitutional, and the way was cleared for polling on 7 February 1986.

Marcos's gamble on opposition disunity failed only one hour before the close of nominations on 11 December. Until Cardinal Sin managed to hammer out an eleventh hour compromise, which saw Corazon Aquino (Benigno Aquino's widow) agree to run under the UNIDO flag in return for Salvador Laurel sacrificing his presidential ambitions, it seemed that this election was doomed to follow the course of its predecessors, as an unconvincing Marcos whitewash. As far as the US was concerned, for maximum legitimizing effect, whichever way the polls went, a united opposition was essential. Marcos's recognition of the power of the Aquino/Laurel ticket was demonstrated by his surprise nomination of long-time critic Arturo Tolentino as running mate. The inclusion of Tolentino, the only KBL candidate to win a Metro Manila seat in the 1984 Batasan elections, was intended to broaden Marcos's appeal to the electorate.

Namfrel's re-accreditation as an observer organization was forced upon Marcos by US and public pressure. Having used the preceding twenty months to reorganize and expand, Namfrel aimed to have poll-watchers in 80 per cent of the nation's 90,000 electoral precincts, and to use two private firms' nationwide telex networks

to send results to Manila to be tabulated by computer as part of Namfrel's Operation Quick Count (*FEER* 30 January 1986). This made heavy fraud at the counting end considerably more difficult. Massive fraud at the voting end, especially vote-buying, is a much more expensive operation. Comelec, the government's Commission on Elections, also opted for a quick count, but declined Namfrel's offer to co-operate. The official count was to be conducted by the Batasan. Although Namfrel was seen as being sympathetic to the Aquino camp, it was primarily interested in ensuring fraud-free polling and counting. Going on past form this would place Namfrel in opposition to Marcos. Comelec was essentially a tool of the Marcos regime. The greatest blow against Comelec's credibility came during early counting on 9 February when thirty computer technicians walked out of Comelec headquarters, alleging manipulation of the vote count, and supporting their claims by computer discs and print-outs (*Sydney Morning Herald* 11 February 1986). The computer operators were led by Linda Kapunan, wife of a leading RAM officer, Colonel 'Red' Kapunan (*Asiaweek* 23 February 1986).

The campaign which preceded the tallying controversies was itself a quite remarkable case of mud-slinging. At the outset, Marcos declared that *he* was the issue, an issue out of which Cory had little difficulty making mileage. Marcos then began by disparaging Aquino's sex and competence, and ended up accusing her of being a stooge of the communists. Cory weathered these assaults, using the church as her communication link with the people. By the end of the campaign, Marcos could not lose any more credibility. Even the myth of Marcos as the Philippines' most decorated soldier had been exploded (*National Times* 24-30 January 1986). Cory Aquino's appeal as a vote for change was uncontested. The contrast between Marcos and Aquino was most clearly seen in their rallies. Aquino and Laurel visited sixty-one of the country's seventy-three provinces before the election, whereas Marcos, constrained by his failing health, visited only nine (*FEER* 6 February 1986). The opposition's rallies were large, noisy, spontaneous and broad-based, whereas Marcos's tended to be well-orchestrated but stiff and subdued, staged largely for the benefit of

the foreign media (*FEER* 30 January 1986). Cory's appeal was so strong in many areas that it overrode the NDF's and BAYAN's official decisions to boycott the elections. In Mindanao, BAYAN workers joined the Cory campaign, recalling the 1984 boycott failure, and seeing the Aquino ticket as offering respite and hope (*ibid.*).

The campaign, the election and its aftermath were particularly violent and fraudulent, even by Marcosian standards (*Sydney Morning Herald* 6 and 8 February 1986; *FEER* 6 and 20 February 1986). Marcos had to pull out all stops this time: non-existent barrios returned 100 per cent Marcos; in Metro Manila 10 per cent of predominantly opposition voters were disenfranchised as their names disappeared from the electoral rolls; Namfrel observers were forced out of many precincts by 'gun-toting goons'; votes were bought; ballot boxes were stolen and/or stuffed, although people chained themselves to the boxes to protect them. At least twenty-four election-related deaths were reported on polling day, and a number of 'Cory' and KBL organizers were murdered in the run-up to and in the wake of voting. The fraud was so blatant that even the mainstream Western media and Senator Richard Lugar, heading the US congressional observation team, could not help but notice and comment on it.

Reagan's instinctive response to the evidence of fraud was to protect his old friend, advising Aquino to join Marcos and alleging poll fraud on both sides (*Sydney Morning Herald* 12 and 13 February 1986). This outraged Aquino, Lugar, the *New York Times* and the State Department strategists. Reagan subsequently modified his stance, dispatching 'fact-finder' Philip Habib to Manila on 16 February in a stalling tactic. When the Batasan proclaimed Marcos victor on 15 February, Lugar rejected the result as tainted by the fraud. The CBCP, in a statement issued on 14 February, and agreed to by eighty of the 118 bishops, firmly denied the legitimacy of Marcos's pending victory:

'In our considered judgement, the polls were unparalleled in the fraudulence of their conduct ... according to moral principles, a government that assumes or retains power

through fraudulent means has no moral basis ... [and in such circumstances] active resistance of evil by peaceful means [is justified]' (*Asiaweek* 23 February 1986; *National Times* 21-27 February 1986).

In response to Marcos's 'official' victory by 10,807,197 votes (54 per cent) to 9,291,716 (*Asiaweek* 2 March 1986), Aquino refused to concede defeat, claiming the election had been stolen. She outlined a seven-point programme of civil disobedience to a crowd of close to one million supporters assembled in Manila's Rizal Park (Luneta) on Sunday 16 February (*Sydney Morning Herald* 17 February 1986). At the same time, a RAM statement denounced the election, called for a non-violent struggle for justice, and advised soldiers not to use force against peaceful demonstrators (*FEER* 27 February 1986). Habib's presence in Manila prompted speculation of plans for a US-backed RAM *coup d'état* to oust Marcos, although Habib did not meet directly with RAM leaders.

In his search for a 'credible' solution, Marcos, on 16 February, announced Ver's resignation as chief of staff (but not as head of NISA) and Ramos's appointment as acting chief of staff, but on 21 February Marcos indefinitely deferred Ver's resignation, allowing time for his crony general to reorganize the upper echelons of the AFP (*Asiaweek* 2 and 9 March 1986). It seems likely that Ver's reinstatement sprang directly from the discovery of a RAM coup plot, with fifteen soldiers at Fort Bonifacio being arrested on Friday 21 February (*Manila Times* 23 February 1986). Ver's continuation as chief of staff was the final straw for a much-maligned Ramos. It was at this point that Ramos had to answer Cory's question, 'When will he decide what he is for?' (*FEER* 27 February 1986).

With Cory's civil disobedience campaign working up to a general strike to coincide with Marcos's inauguration, on the morning of Saturday 22 February Enrile received information of his impending arrest. This had resulted from Enrile's involvement in the abortive RAM coup plot (*National Times* 5 October 1986). At this stage, Enrile contacted Ramos who agreed to join the rebellion against Marcos. Thus, RAM's thwarted coup became a mutiny that

Saturday afternoon as Enrile, Ramos, the RAM colonels and approximately 300 soldiers took over the Ministry of National Defence at Camp Aguinaldo and Camp Crame on opposite sides of the EDSA highway in Quezon City, Metro Manila. At a 6 p.m. press conference, Enrile and Ramos announced their withdrawal of support from the Marcos regime and proclaimed Aquino the rightful winner of the presidential election. Aquino was in Cebu on Saturday night, and after having talked to Enrile took refuge in a Carmelite convent, returning to Manila on Sunday. Around 10 p.m., Cardinal Sin broadcast over the church radio station, Radio Veritas, an appeal to the people to come to the rebels' aid. The prompt arrival of the masses at the military installations on Epifanio de los Santos Avenue (EDSA) marked the passing of the stage of critical danger for the rebels; Marcos had missed his opportunity to crush the mutiny without major loss of civilian life.

Early Sunday morning, 23 February, Marcos's military sabotaged Radio Veritas. However, this vital communication link was back on air by mid-morning. Talks between Enrile and Marcos stalled on Enrile's basic demand that Marcos resign. The ever-persuasive Marcos allegedly extended an amnesty to Enrile, Ramos and their men if they surrendered. At this point, the unpersuaded Enrile transferred from Camp Aguinaldo to the more easily defensible Camp Crame; Marcos brought in reinforcements to Malacañang; and General Tadiar's marine tank corps commenced its push against Camp Crame, only to be blocked less than 2 kilometres away from Camp Crame at the junction of EDSA and Ortigas Avenue by approximately 20,000 unarmed civilians. At around 5 p.m., after three hours of negotiations, Tadiar withdrew his tanks: the people's prayers had been heard, for the moment.

At their Sunday evening press conference, Enrile and Ramos were joined by Laurel and Tañada. Ramos listed the commanders who had defected to his 'new armed forces of the people', and Enrile urged Aquino to form an alternative government before Marcos's inauguration on 25 February. Later that evening, Aquino appealed to the nation over Radio Veritas to support Enrile and Ramos, and pleaded for non-violence. The White House released a strong

condemnation of the Marcos regime, citing Enrile and Ramos's charges of election fraud and urging a non-violent resolution to the crisis, although stopping short of calling on Marcos to resign. The stand-off in EDSA between Tadiar's tanks and the people continued throughout the night.

Monday 24 February proved to be the decisive day of the revolt. As part of the military showdown scheduled for dawn, Marcos ordered Colonel Antonio Sotelo and his fifteenth strike wing to strafe and bomb Camp Crame. Unbeknown to Marcos, Sotelo and his men had been involved in the RAM coup plot. Their defection prompted similar action throughout the AFP, so that by Monday evening around 80 per cent of the armed forces had joined the rebels. An attack by Sotelo's strike wing on Villamor air base in Metro Manila incapacitated what little air cover remained loyal to Marcos. At 6.30 a.m., Radio Veritas announced that Marcos and his family had fled. Although Marcos later appeared live on television to deny this, the report is credited with having broken the determination of Tadiar's marines. During Marcos's morning television appearance in which he overrode Ver's pleas to be allowed to annihilate the rebels, transmission was cut off. After a three and a half hour battle-cum-discussion, rebel soldiers and civilian demonstrators had overrun the government television station, OMA/MBS 4. Monday morning also saw Enrile announce the formation of an Aquino-Laurel parallel government. On Monday evening, around 7 p.m., the White House issued a statement calling on Marcos to resign. It read in part: 'Attempts to prolong the life of the present regime by violence are futile. A solution to this crisis can only be achieved through a peaceful transition to a new government.'

The import of the US statement had not penetrated the increasing isolation of Malacañang by Marcos's 8 p.m. television news conference, seen on crony channels 2, 9 and 13. The president announced a nation-wide 6 p.m. to 6 a.m. curfew, which was immediately defied by the thousands of civilians on the streets. He rejected any suggestion of resignation or flight, and admitted that his family was 'cowering in terror because of the threat of bombing

by helicopter'. Meanwhile, a gathering of opposition and defecting KBL Batasan members proclaimed Aquino and Laurel the rightful president and vice-president of the Philippines.

Tuesday 25 February was inauguration day, a day on which a violent end to the crisis appeared ever more likely. Thirteen people lost their lives in incidents around Manila that Tuesday, as the tension of the preceding weeks culminated in the inauguration of two presidents. An hour before Aquino's 10 a.m. ceremony at the Club Filipino, Marcos made his final offer to Enrile, promising to cancel the election and remain as honorary president until 1987 while Enrile assumed full control of the actual government. Enrile declined and joined Cory at the Club Filipino, where she appointed Laurel, prime minister, Enrile, defence minister, and Ramos, chief of staff. At mid-day, Marcos took his oath of office at Malacañang. No foreign dignitaries were present and only seven of Marcos's twenty-three cabinet ministers arrived, Tolentino and Virata being conspicuous by their absence. The telecast of Marcos's inauguration was cut short by the destruction of Malacañang's microwave connection with Channel 9. Marcos had lost his last link with the media and the people.

In the early hours of Tuesday morning, Marcos had been in contact with US Senator Paul Laxalt in an attempt to gauge Washington's attitude on a compromise deal with Cory. Laxalt, unconstrained by diplomatic niceties, reiterated the White House's opinion when he said, 'I think you should cut, and cut cleanly. I think the time has come'. Carrying this knowledge with him throughout Tuesday's inauguration ritual, Marcos made the decision to quit the Philippines in the late afternoon. Around 9 p.m. on Tuesday 25 February 1986, Ferdinand and Imelda Marcos, accompanied by an entourage of approximately ninety people, were airlifted by USAF helicopters from Malacañang to Clark Air Base, where they spent the night before being flown on by the USAF to Guam and Hawaii.

In the two hours between Marcos's exit and the arrival of Ramos's troops at Malacañang at around 11 p.m., priests and nuns

intervened to prevent violent conflict between groups of Marcos loyalists and Cory's masses who were seeking to liberate the presidential palace. As news of Marcos's confirmed departure spread, the city celebrated. Wednesday 26 February was Aquino's first full day as president of the Philippines: she announced her cabinet, restored civil liberties, ordered the release of all political prisoners, including the leading communists, called for a cease-fire with the insurgents, and instigated investigations into the ill-gotten wealth and human rights violations of the Marcos regime. The Aquino era had begun.

As can be seen from this narration of events, there were many significant actors in the downfall of Marcos. It remains to be seen which were the most influential: Cory Aquino and the moderate opposition forces; the Roman Catholic Church, led by Cardinal Sin; the people who took to the streets in their thousands; the pressure of the growing communist insurgency; the reformist elements of the military; ex-Marcos supporters like Enrile and Ramos; the US; and Marcos himself. Essentially, were the events of February 1986 a victory for non-violent people's power or a palace coup, a statement of Philippine autonomy or a 'neo-colonial' orchestration? The following sections will seek to provide an answer.

The US connection

The tumultuous street scenes of February 1986 have come to symbolize Marcos's overthrow. As captured on camera, it was a victory for people's power, for although armed soldiers abounded, it was the throngs of unarmed civilians jamming the streets that seemed to prevent shooting and ensure success. Yet appearances can be deceptive, and other factors may have been at work which were equally, if not more, important than the people in the streets. The first of these elements to be investigated and evaluated is the US connection.

The events of 1986 occurred within the historical parameters of the US-Philippine relationship. American influence in Philippine

politics, economy and society did not terminate with independence in 1946. This ongoing 'special relationship' has been termed neo-colonial in the sense that 'strategic and economic domination coexist with legal independence' (Shalom 1981:xiii). The Philippines do not lack all autonomy of action; rather, this neo-colonial relationship is 'an alliance between the leading class or classes of two independent nations which facilitates their ability to maintain a dominant position over the rest of the population of the weaker of the two nations' (*ibid.* xiv). While the Filipino lower classes are denied what the Left would describe as 'true self-determination and national independence', the Filipino elite shares a mutually beneficial reciprocal relationship with the US: the US is as locked in by its strategic, economic and ideological interests as the Filipino elite is reliant on US military and economic aid. Marcos, displaying the 'power of the weak ally', has been as indifferent to US requests for regime reform as the US has been insensitive to the currents of Philippine nationalism.

The US's interests in the Philippines fall into three broad categories: strategic, economic and ideological (Pringle 1980:18-21). The strategic interest is the most tangible with eight separate US military installations situated in the Philippine archipelago, the most important being Subic Bay Naval Complex and Clark Air Base (Feeney 1984:64-66). The US justifies its military presence in terms of its global nuclear and conventional force deterrence structure, the protection of vital air and sea lanes, a hedge against the unknown, and as part of the US's obligations to defend the Philippines under the 1951 Mutual Defense Treaty (*ibid.* 69; Pringle 1980:68-70). The issue of the bases arouses much anger amongst Filipino nationalists, but was approached cautiously by the traditional opposition, who recognized that while the bases provided a possible focus for anti-regime sentiment, any move to expel them would alienate the US (Feeney 1984:76). Furthermore, the bases are a major source of employment for Filipinos and of revenue for local business and the government, as well as being an important bargaining chip in aid negotiations.

The US's economic interests in the Philippines include \$US2.5 billion in private investment (*Sydney Morning Herald* 7 February 1986). Generous conditions were accorded to foreign enterprise by Marcos and the US has been concerned to see that the Philippines develop along 'open and friendly', free-market, World Bank-IMF lines (*Tugon* 1985:27-28; Wolpin 1972:3). The third strand of US interests in the Philippines is ideological: the desire to create, as far as possible, a world in its own image, coupled with a desire to combat communism. In the 1950s and 1960s, the Philippines' elite democracy did go some way towards achieving the US's idealistic, post-war goal of a democratic Third World. However, by 1972, the rising nationalist and left-wing tide meant that 'the formal democratic system was slipping from the control of the interests it had originally been designed to serve' (Bello 1984:287), that is, the US and the neo-colonial elite. Martial law was the Marcos response. The continuation of authoritarian rule was then justified by the threat of communist subversion and the lack of any credible and acceptable alternative to Marcos.

The 'demonstration effect' of US allies falling to 'unfriendly' forces intensely frightens US administrations. This can be seen through their fixation with analogies (Cuba, Vietnam, Iran, Nicaragua, etc.) and their habit of seeing all US losses as gains for the Soviet Union (Johnson 1985). In the Philippines the US faced a dilemma. Before the unification of the Aquino/Laurel forces, Washington was presented with a regime whose legitimacy was crumbling and whose excesses were mounting, but whose only organized mass-based opposition was the (unacceptable) Left. It could either apply the Kirkpatrick doctrine (Kirkpatrick 1979) described in *The New Republic* (17 April 1986) as - 'we should choose to stick with our SOB rather than risk the deluge' - and support Marcos wholeheartedly; or 'do a Diem', working for Marcos's overthrow in a *coup d'état*; or create or find a third force, a middle option, a strategy which failed in Iran but appeared to work in El Salvador and which had been suggested for the Philippines by a former ambassador (Sullivan 1983:154-155). Furthermore, Marcos's intransigent refusal to institute any reforms which would erode his domestic political support structure of the

cronies was a direct rebuff to the Reagan administration's quiet diplomacy', and complicated American ambitions for a 'strong, stable, democratically-oriented, pro-US Philippines' (Tugon 1985:27) with a healthy economy. It was in the context of this quietly persistent, but often ignored, pressure that Marcos surprised the US by acceding to American desires for a demonstration of his regime's legitimacy.

Marcos's decision to call a snap election was as much in response to US pressure for some proof of regime legitimacy as it was in response to deteriorating domestic political and economic conditions. Laxalt's October visit alerted Marcos to the extent of Washington's discomfort with the course of events in Manila. Marcos needed a legitimization exercise to placate the US public and Congress, and act as a safety valve for moderate domestic discontent, as had the May 1984 election (Constantino 1984:6). While many observers remained sceptical that Marcos would actually go through with the election, once Aquino and Laurel joined forces, and the US publicly endorsed the election, Marcos could no longer wriggle out of it. He had played himself into a corner and could only extricate himself with an election. Appearances were all-important to the Reagan administration, which wanted the legitimization of the Marcos regime in the eyes of the US public brought by a successful 'demonstration' election, that is an election 'organized and staged by a foreign power to pacify a restive home audience, assuring it that ongoing interventionary processes are legitimate and appreciated by their foreign objects' (Herman and Brodhead 1984:5).

The Philippine elections of 1978, 1984 and 1986 can be seen from this perspective. To justify continued military and economic aid to the Marcos regime, the US administration sought to quell congressional and public unease with Manila's human rights and development record by pressuring Marcos to hold elections in which the traditional opposition participated and won a few seats in a contest without obvious election-day fraud. An integral element of a demonstration election is the international media's acceptance of 'the government's manipulation of symbols [of elections and

communism], its agenda of relevant information and questions and its formulation of the election as a drama between the forces of good [those participating] and evil [those boycotting]' (*ibid.* 6). This means that the media tend to ignore the massive fraud and intimidation in the countryside and the absence of the fundamental conditions of a free election: freedom of speech and the media, freedom of association, party organization and the ability to field candidates, and the absence of systematic state-sponsored terrorism and a climate of fear (*ibid.* 11-15; Hermann 1984:34).

The success of May 1984 as a demonstration election sprang from the US's central commitment to the Marcos regime. By February 1986, however, the commitment was no longer unequivocal. Washington recognized Marcos's waning internal support and wanted a decisive electoral outcome, although an outright Aquino victory must have seemed unlikely, considering the opposition's lack of organization and money. The ambivalence of the US was reflected in the much more critical role taken by that 'institutionalized demonstration election prop' - the observer (Herman and Brodhead 1984:7). Observers usually find demonstration elections fair, a function of their composition, bias and limited opportunity to observe: 'what they can reasonably testify is that nobody was beaten and ballot boxes were not stuffed *in their presence*. This is entirely compatible with massive coercion and ballot box stuffing' (*ibid.* 8). In the Philippines in February 1986, the observers saw too much. The fraud was far too obvious to be glossed over, with even the US congressional observation team making it clear that the cheating was unacceptable.

In contrast to other demonstration elections, the international media were remarkably critical of the Marcos regime. They examined the criteria of election integrity, particularly Aquino's exclusion from the domestic electronic media (save Radio Veritas), and the militarization of the countryside. They concentrated on the issue of government interference in the polls, not rebel disruption, merely noting in passing the NDF/BAYAN boycott. The television cameras rolled as KBL thugs snatched ballot boxes and harassed Namfrel volunteers. This freedom of the media to observe, as much

as their apparent indifference to the 'communist threat', highlighted the contrast between the Philippines 1986 and El Salvador 1982. As Bain observes, February 1986 was 'a textbook case of how pack journalism can serve a civic purpose' (Bain 1986:28). With over 850 foreign journalists registered to cover the election on 7 February, 'President Marcos could lie and cheat, but in the end he could not hide' (*ibid.* 29). This failure of the demonstration election left Washington with a terrible dilemma.

The fraud was so massive and well documented that Washington could not simply discount it as an isolated incident, and proceed to endorse Marcos. The long-held fear that 'the Philippines would be the site of America's next foreign policy disaster' (Poole and Vanzi 1984:337) was beginning to materialize. Marcos sought to confront the US once more with 'the Hobson's choice of authoritarian dictatorship or communist totalitarianism' (*The New Republic* 3 March 1986), between himself or civil war. This time, however, the US had an alternative: the strength of Cory's vote indicated the depth of popular dissent. The third force strategy, frequently suggested by the US State Department as an appropriate Philippine policy, began to appear feasible. Yet Washington did not immediately adopt this policy. In the first few days after the election, there was an embarrassing contradiction between the positions of the White House and State Department. Reagan called on Marcos and Aquino to 'work together to form a viable government', pointing to 'evidence of a strong two-party system ... in the islands', and suggesting that there was no hard evidence of fraud, only the general appearance of it 'occurring on both sides' (*Sydney Morning Herald* 12 and 13 February 1986; *FEER* 20 February 1986). The State Department expressed surprise at these statements (Reagan evidently having gone beyond his carefully-drafted written statement), and dispatched US Ambassador Bosworth to reassure Aquino that the US was not reconciled to a Marcos victory (*Sydney Morning Herald* 14 February 1986). Philip Habib's fact-finding mission to Manila was largely a stalling tactic, to give Washington time to assess the situation and formulate a coherent response.

For the US, the central issues raised by this disputed election were the future of the US bases, the NPA insurgency and the demonstration effect. Reagan is reported to have said, 'I don't know of anything more important than the Philippines' bases' (*FEER* 20 February 1986), and this is indicative of US policymakers' priorities. The growth of the NPA and the counter-productiveness of much of Marcos's anti-insurgency strategy (Magno and Gregor 1986:501 and 509) raised images of Vietnam, not Malaya, and if the US could not defend its former colony from communism, Washington envisaged the clatter of tumbling dominoes throughout the world. Furthermore, the US's immediate credibility as a force for democracy would have been undermined everywhere if the administration, having been so active in drawing Marcos into the democratic process, acquiesced 'in the humiliation of the Filipino democrats' (*The New Republic* 3 March 1986). That the outcome of the crisis was so favourable to US interests should not be taken as conclusive proof of the US's involvement in bringing it about. The danger of such *ex post facto* rationalization in this case is that it assumes a purely structuralist notion of power, while clearly a large number of human elements, quite autonomous from the neo-colonial structure, were operating in February 1986.

Assuming the US was faced with three alternatives - support Marcos, support Aquino, or support a reformist military coup-cum-civilian-junta - its decision would have been based on the relative advantages of each to US interests, if in fact the US had time to consider its options and direct events. A number of observers have commented on the absence of adequate time for US direction and the essentially reactive, *ad hoc* nature of American action. Considering the neo-colonial status of the Philippines, there has always been a strong presumption of US intervention, with some concluding as early as March 1986 that 'the Enrile-Ramos bloc would not have staged the aborted *coup d'état* without the green light from Washington, specifically the CIA' (EPIC 1986:8). Later research suggests that the CIA was aware of the RAM coup plot but played a double game, advising Marcos not to persecute RAM and RAM not to move unconstitutionally against Marcos unless in the 'line of enlightened self-defence' (*National Times* 5 October 1986).

Although the coup plan may have lacked US endorsement, there was a suggestion that the mutiny led by Enrile and Ramos was instigated on US orders, considering Habib's timely departure just hours before its outbreak (*National Times* 6 March 1986) and Washington's prompt approval of Enrile and Ramos's move (*Sydney Morning Herald* 24 February 1986). However, a more realistic analysis is that upon Ver's discovery of the plot, RAM and Enrile were forced to act quickly in order to save their own skins. Ramos, for reasons of his own, chose to join the mutiny.

Admittedly, it does seem unlikely that Enrile, particularly, would have moved without some assurance of US support, if only a tacit promise to exert maximum pressure on Marcos to avoid a violent resolution to the conflict. A reformist coup, however, even if it had handed power to Aquino, would have destroyed the AFP's non-interventionist professionalism and commitment to civilian supremacy, two values which the US sought to protect (*FEER* 27 February 1986). Although Washington no longer wanted Marcos in Malacañang and had objections to a RAM coup, it did not immediately endorse Aquino. Both Habib and Lugar were noticeably loud in their calls for fresh elections. Aquino's civil disobedience campaign evidently worried the Reagan administration. The US especially feared that Marcos would meet the democratic opposition with violence, thus forcing an escalation in the conflict and providing a greater opportunity for the CPP. It did not appreciate the dynamics of Aquino's non-violent action, nor could it completely dissociate itself from its self-imposed dichotomy of alternatives - Marcos or the communists. Thus, the US was very much the prisoner of its own preconceptions.

It is difficult to pinpoint the exact role of the US in the fall of Marcos, save that it was not the US-orchestrated operation that some American officials privately claimed (*Sydney Morning Herald* 27 February 1986). Much of the evidence is circumstantial, and gains meaning only in the context of the Philippines' 'special relationship' with the US, and Manila's dependence on American aid. Clearly, Marcos called the snap presidential poll in response to mounting American pressure for some sign of legitimation and

progress on US demands for reform. Yet other factors were operating upon Marcos, and Washington was apparently somewhat surprised by Marcos's timing. Once the election was called, one would have expected a demonstration election along similar lines to 1984, but growing administration ambivalence towards Marcos resulted in a much less tightly-staged election. The US, while seeing a Marcos 'victory' as inevitable, desired to keep its options open, ready to welcome a decisive Aquino victory or even possibly a reformist *coup d'etat*, particularly in the face of any move by the Marcos-Imelda-Ver faction to reimpose martial law and decimate the opposition, including RAM.

The closeness of the election outcome disrupted all US plans. Although the US could have been active in prompting Enrile and Ramos to act, numerous domestic forces and personal ambitions were in play and the quickness of developments, as well as Washington's dithering over the election fraud issue, tend to undermine the case for US involvement in those four days. Admittedly, pressure on Marcos to avoid violence was significant, but this too could have sprung from other sources. In short, although the results of Marcos's overthrow were favourable to the US, there is no substantial evidence to suggest that the US played anything more than a secondary role in the course of events.

RAM, Enrile, Ramos: a bloodless coup ousts Marcos?

A second force at work during February 1986 was the military. It is perhaps evidence of our tendency to emphasize the importance and utility of violent action that the overthrow of Marcos is most frequently described as a 'bloodless coup with popular backing', rather than a 'popular uprising with military participation'. While the mutiny on 22 February was significant in bringing the post-election crisis to a head, the military's involvement in the uprising does not, *ipso facto*, prove it a *coup d'etat*. To understand the role played by the military in Marcos's overthrow, it is essential to appreciate the militarization of Philippine society since 1972, the

factions and personalities competing within the AFP and the theoretical dimensions of military intervention in politics.

The process of militarization was evident after the proclamation of martial law. Not only did manpower levels and budget allocations increase, but the military engaged in a much wider range of activities. Since its creation in 1936, the AFP had performed both the traditional military function of the defence of the state from external aggression and the police roles of maintaining internal security and law and order. Martial law saw the AFP greatly extend its duties in the areas of the administration of justice and the management of development programmes and agrarian reform (Hernandez 1985a). In effect, the AFP during martial law 'act[ed] as the main agent of change in almost all facets of Filipino life' (Andaya 1973:33). The lifting of martial law in 1981 did not in essence reduce the level of militarization. As the 1980s proceeded, the AFP's involvement in political and social life increased. With the escalation of the counter-insurgency war, the military presence in the provinces became more tangible, while human rights abuses multiplied (ICJ 1984:19-22: EMPJ c1984:3-4). Many villagers in fact preferred an NPA presence simply because the NPA's acts of violence were far less random and unpredictable than the AFP's (ICJ 1984:22). In Manila, the factionalization of the AFP's hierarchy prompted increasing speculation about either a reformist or crony *coup d'etat* as part of a post-Marcos settlement.

Military involvement in politics can be seen as a continuum in which three basic stages stand out (Welch 1976:3-4). 'Military influence' is the 'normal' western democratic model of military involvement. In this stage civilian supremacy is strictly observed and military duties are sharply delineated. The AFP's pre-martial law involvement in politics approximated to influence (Hernandez 1985a:190). The next stage is 'military participation', in which military autonomy is greater and the civilian elite is ever sensitive to a perceived military veto. This level of military involvement typified the post-1972 Marcos regime. The declaration of martial law was only made after close consultation with Marcos's 'twelve disciples', all leading military men, including the then chief of staff,

Romeo Espino, defence minister, Juan Ponce Enrile, PC chief, Fidel Ramos and presidential security command chief, Fabian Ver. In the 1980s, the Marcos regime became more dependent on the military to secure its power and to silence the popular opposition. Marcos debased the codes of civilian supremacy and military professionalism by limiting civilian control of the military to that of himself and by appointing cronies to the AFP's uppermost positions. Given these developments it was now easier to envisage the possibility of the Philippines moving towards the third stage of military involvement in politics, that is, 'military control' of politics, either with or without civilian partners. Even among the professional officers, the ethic of subordination was being undermined, as they came to question the attainability of their goals (particularly, victory over the NPA) in light of the dominant civilian forces in the regime (the cronies).

The military's propensity to intervene in politics springs from both the sociological and organizational nature of the military, and the political and institutional nature of society. In approaching the military structure, Hernandez adopts Janowitz's sociological scheme for calculating the military's potential for political intervention (Janowitz 1964). She analyses the AFP in terms of its organizational format, its skill structure and career lines, its social recruitment and education, its professional and political ideology and its social cohesion, from which she concludes that the AFP's potential for intervention was fairly high (Hernandez 1985a:181). Undoubtedly, the military's potential for political intervention was enhanced by the AFP's infantry orientation, facilitating deployment of forces in Manila and elsewhere, its existing involvement in political issues due to its security and police duties, its 'managerial' (technocratic) style of leadership, and the nationalist, developmental, self-reliant and puritanical themes of its ideology. Despite these developments the strength of commitment to the concept of civilian supremacy, although possibly waning, has been an extremely important factor inhibiting military activism in the Philippines. Much of this commitment stems from the application of US military training traditions and the concomitant values of professionalism. The AFP's 'anti-politics' attitude has tended to minimize its willingness to 'soil

its hands' by direct intervention in the political process. Furthermore, the AFP's low social cohesion, originating from the heterogeneous class background of its officer corps (*ibid.* 168), the distinction between Philippine Military Academy (PMA) graduates and non-PMA-recruited officers, regional and ethno-linguistic cleavages, and the inter-generational tension between younger, upwardly mobile officers and the overstaying generals, has restricted the military's disposition to intervene.

Any military involvement in politics takes place within the nation's political and social framework. As Welch (1976:5-34) notes, the maintenance of civilian control by governments draws as much on elements external to the military organization as from internal considerations. While factors such as constitutional constraints, ascriptive elements such as class and ethnicity, party controls, historical and geographic influences permitting the maintenance of a relatively small standing army, and the delineation of clear and limited spheres of military responsibility are not equally important in the Philippines, they highlight the linkages between the AFP's involvement in politics and society generally. Finer (1976:78) has suggested that the parameters of intervention are set by society's response to questions concerning the degree of public approval of procedures for transferring power, the strength of the commitment to legitimacy as a prerequisite for government and the extent of the mobilization of the public into private associations. In the light of this analysis, the imposition of martial law 'was fundamentally a class response to the emergence of a mortal threat to the system of neo-colonial domination' (Bello 1984:287). Martial law was welcomed by the politically-mobilized middle classes, who saw it as a means to offset the threat posed to their livelihood and security by the increasingly militant and radical masses. Yet if military intervention is tied to the civilian political culture, the change in the mood of the middle classes, as demonstrated by their support for Aquino, augurs well for a true civilian restoration, even though the sociological and organizational nature of the military has not greatly changed.

Having outlined the military and societal factors contributing to the AFP's potential to intervene in Philippine politics, the questions of Finer's (1976) dimensions of motive, mood and opportunity must be examined. The motives disposing RAM, Enrile and Ramos to intervene in February 1986 could be seen as a mixture of national, corporate and individual self-interest. Each had a grievance with the Marcos regime and an awareness of their combined ability to remedy these complaints. The opportunity to intervene presented itself with the acute post-election crisis, in which Marcos was extremely dependent on the military to restore order, but from which the military could not have mustered enough legitimacy to rule in its own right.

The Reform the AFP Movement (RAM) surfaced publicly in March 1985 at a military academy reunion (*FEER* 30 January 1986). Also known as the 'We Belong' movement, RAM had its origins in PMA reunions in the early 1980s when 'professional' field officers met and exchanged notes on their respective battles against the NPA, and came to the conclusion that their counter-insurgency would remain ineffective until the AFP ceased to be seen as an instrument of oppression. Claiming the active membership of approximately 1500 middle and lower ranking officers in the 13,500-strong officer corps, RAM was dedicated to restoring the AFP's tarnished image, eliminating human rights abuses, raising morale and training standards, and fighting the NPA efficiently (*FEER* 6 February 1986). From March 1985 RAM began holding press conferences at which it denounced favouritism and corruption in the AFP without ever naming names. Such an apparently open, non-conspiratorial stance did not overly worry Ver, but RAM's 1986 series of lectures and prayer seminars, code-named *Kamalayan '86* (Consciousness '86), which were aimed at establishing an understanding of and respect for democratic processes among active servicemen, did concern Ver, so much so that on January 17 he demanded that they cease their activities, which RAM promptly refused to do (*ibid.*).

Within RAM, two distinct levels could be seen. There were the younger officers - the lieutenants and captains - who joined RAM as

a way to vent their protest at the deprofessionalization of the AFP under Ver. And then there were the colonels - Gregorio 'Gringo' Honasan, Eduardo 'Red' Kapunan, Victor Batac, Tirso Garor - and the captains - Felix 'Boy' Turingan and Rex Robles - who allegedly organized RAM 'as a cover, to contact brother officers who might be sympathetic to the coup' (*National Times* 5 October 1986). 'The coup' was the RAM-Enrile plot to oust Marcos and install Enrile as the head of a largely civilian junta. This plan was first devised in mid-1985 by Honasan and Kapunan: it involved taking Malacañang, arresting Marcos and Imelda, assassinating Ver, and proclaiming to the nation a 'National Reconciliation Council' with Enrile as chairman. Marcos's calling of the presidential election disrupted the colonels' plan for a New Year's Eve coup, and the events after the election prompted them to re-schedule it for 2 a.m. on Sunday 23 February (*ibid.*). Enrile and the colonels' use of RAM apparently angered a number of junior officers who did not appreciate being tools of Enrile's ambition. This split between the levels of RAM could almost be seen as the basis of two RAMs, one aiming to reform the AFP along Ramos's lines and another along Enrile's.

In an April 1986 speech, the Philippine political scientist, Francisco Nemenzo, suggested that RAM had three contingency plans in the event of a stolen election. Since RAM officers controlled most of the combat divisions, 'Plan A' envisaged a RAM-led mutiny in the hinterland, thereby drawing out Ver's forces and allowing a second uprising to take Malacañang. 'Plan B' was for a Manila-based mutiny, spreading to the rest of the country, while 'Plan C', never seriously considered, was for the gradual and co-ordinated resignation of RAM officers. While this does not tally exactly with the *National Times* (5 and 12 October 1986) account, in both cases, Ver's uncovering of the coup plot (Plan A?) on or before the 21 February arrest of fifteen RAM soldiers, spurred the senior RAM officers to their open rebellion. It was the very human consideration of self-preservation, rather than any sociological or societal factor, that forced these soldiers to abandon their apparently non-interventionist stance. They did not, however, overtly reject civilian supremacy, for the rebels, including Enrile

and Ramos, claimed that they were making a stand for Corazon Aquino and the democratic process.

Out of the context of the extreme situation in which Enrile found himself - imminent arrest by Ver's forces - this claim sounds hollow. Self-preservation was clearly the spur to Enrile's action on 22 February. Joining with Marcos in 1964, Enrile never hid his presidential ambitions. The public expression of this desire has been seen by many as the basis of his progressive fall-out with Marcos since the late 1970s (*Asiaweek* 9 March 1986; *Sydney Morning Herald* 24 February 1986). Ver's appointment as AFP chief of staff in 1981 marked a turning point in Enrile's relationship with Malacañang, in that it eventually strengthened Imelda's hand *vis-a-vis* his in the succession stakes. July 1983 saw Enrile's power to give orders to the military revoked by Marcos (*Asiaweek* 9 March 1986), although for some time many of his orders had gone unheeded, for example, his prohibition of strategic hamletting (ICJ 1984:35). From this time on, Enrile became increasingly vocal in his concerns about military excesses and the growing NPA insurgency. Although Enrile has claimed to have been involved with RAM from its early days his role appears to have been so clandestine that only the colonels knew of it (*Asiaweek* 9 March 1986). Throughout the election, Enrile campaigned, intimidated and bribed extensively for Marcos, and although some observers noted that the ballot boxes from Enrile's Cagayan region were very slow in arriving in Manila, suggesting that Enrile was holding them back in order to see which way the popular mood was flowing, Enrile's change of heart came as a big surprise to the assembled journalists at the Saturday evening news conference and to the people (*National Times* 28 February 1986). Yet while Enrile's long-term motives were open to serious question, the situation in February demanded that Aquino and the people simply trust Enrile.

The more surprising defection was that of Lieutenant General Fidel Ramos. Ramos had long been considered the head of the professional faction within the AFP, although his commitment to civilian supremacy and the values of West Point apparently disqualified him from interventionist policies, much to the

disappointment of the reformers (*ibid.*), and even Mrs Aquino (*FEER* 27 February 1986). However, like Enrile, Ramos had found himself increasingly out of Marcos's favour and his power being undermined by Ver. The final humiliation for Ramos came with Ver's 'resignation' on 9 February, effective from 1 March, and Ramos's 'appointment' as *acting* chief of staff, two presidential orders Ramos later claimed had never been issued (*Sydney Morning Herald* 24 February 1986). In any case, those orders were overturned by Ver's secret 'reinstatement' and his subsequent replacement of a number of senior Ramos supporters in the AFP hierarchy around 19 February (*Asiaweek* 9 March 1986). It was at this point that Ramos began to doubt he had a future, and his long pent-up frustration at Marcos's refusal to instigate any reforms in the AFP, particularly in the areas of corruption and human rights, was vented in his decision to join Enrile and RAM on Saturday 22 February. Ramos's defection was vital for the prospects of the mutiny: the high regard in which he was held, even by pro-Marcos forces, and the solid power-base he enjoyed within the AFP and at the US embassy could well have guaranteed the survival of the mutiny beyond its first few hours. It was largely Ramos's presence in Camp Crame which legitimized this act of military intervention in politics, and prompted the AFP's wholesale desertion of Marcos.

'This is no coup, we're just trying to force the issue of who is really President of this country. We're not seizing power, we're just trying to make the President step down', said one RAM officer in Camp Aguinaldo (*National Times* 28 February 1986). The preconditions for a coup were met in February 1986: instability in the civilian political sphere was exacerbated by deteriorating economic conditions; serious conflicts did exist between the Marcos regime's plans and policies, and those of sections of the AFP (especially in regard to counter-insurgency); and evidence of military plotting (the RAM colonels-Enrile coup conspiracy) had been uncovered. These, coupled with the Marcos government's growing illegitimacy and the elite's declining solidarity throughout the 1980s, increased the likelihood of some form of military intervention in politics. However, the fact that the AFP participated in the political process does not amount to proof of its permanent

escalation of involvement to a level of control or, as Finer puts it (1976:78), displacement or 'supplantment'.

Had Enrile's coup attempt succeeded, it would have constituted an act of displacement: the removal or replacement of a cabinet or ruler by violence or its threat. Despite Enrile's disclaimers, it would have been a case of military control with partners. There is now evidence from Enrile's own admission that he supported the establishment of a junta or people's committee to rule the Philippines before supporting Aquino as the duly elected president (*Sydney Morning Herald* 10 May 1985). Enrile's ambition was quite obvious. Claims that he has subsequently made, that if he had wanted the presidency he simply could have taken it in February 1986 (*Sydney Morning Herald* 23 July 1986) are clearly unsupportable, since the rebels were dependent on Cory's popular power base to legitimize and protect their action. Had Enrile seized control of the government and denied Aquino her position as president, it is quite possible that Ramos and much of the AFP would not have joined the mutiny, and that in this disorganization of the opposition Marcos and Ver could have effected a crackdown and reasserted their authority.

The alliance between the mutineers and Aquino was, as Enrile put it in a television interview, 'an alliance born out of the common denominator ... the power of the people'. The RAM mutiny was only part of the general rejection of Marcos's mandate, forming the somewhat unexpected climax to Aquino's civil disobedience campaign. While the military's 'trying to make the president step down' is an element of a *coup d'etat*, Aquino's moral claim to the presidency in the context of the stolen election gave the military's action a civil political focus. The AFP intervened in politics in the sense that its members, along with the Manila masses, determined the character of the new Philippine government, but the military's action dictated neither the nature of Aquino's system of government nor the composition of her cabinet.

A final consideration is whether the actions of the RAM mutineers constituted a *coup d'etat*. A *coup d'etat* is a sudden

forcible overthrow of a government by a small group (David 1985:2). It can follow the lines of a *golpe de estado*, the 'seizure and elimination' (but not necessarily the assassination) of the person of the head of state' (Finer 1976:140), or a *cuartelazo*, a barracks revolt, or a combination of the two. Elements of a coup include the quickness of the operation, the presence of an element of extra-legal force, the replacement of the government by the coup leaders or by persons designated by them, and the participation of only a small number of conspirators (David 1985:3). Essential to a coup's success are secrecy, surprise and the neutralization of the bulk of the military; bloodlessness is the measure of a 'good' coup (Finer 1976:226). While RAM's revolt was a relatively bloodless surprise, initially following the pattern of a *cuartelazo*, it became entrapped in a siege at Camps Aguinaldo and Crame, a siege which was only broken by the force of hundreds of thousands of civilians in the streets and the collapse of Marcos's remaining support pillars (even some of the cronies began to defect or flee). Thus, the elements of a *coup d'etat* were barely present in the RAM-Enrile-Ramos mutiny, and the process that at first glance appeared to be a coup was in fact transmuted by popular participation into a political revolution.

People's power: a church-sponsored non-violent revolution?

Having discounted the significance of the US's direct participation in the events of February 1986, and having noted that the military's involvement constituted neither a *coup d'etat* nor a permanent escalation of intervention to a level of control, the phenomenon of people's power remains to be examined. The thousands of unarmed civilians who jammed EDSA in order to prevent Marcos's tanks reaching the rebels at Crame were only one aspect of the non-violent action which signalled the collapse of Marcos's remaining power and sounded the death knell for his regime. The prominence of Roman Catholic priests and nuns in this process raises the question of the role of the church in Marcos's ouster, an event which has been termed by some, a non-violent revolution.

The essence of people's power is its mass-based non-violent nature. All such action is founded on 'the belief that the exercise of power depends on the consent of the ruled who, by withdrawing that consent, can control and even destroy the power of their opponent' (Sharp 1980:4). People's power, February 1986, was the manifestation of the Filipino people's withdrawal of that consent. It lent credence to Hannah Arendt's (1970:44) somewhat unconventional definition of power: that '*Power* corresponds with the human ability not just to act but to act in concert. Power is never the property of an individual; it belongs to a group and remains in existence only so long as the group keeps together.' The ability of the people of Manila to act in concert, to join Aquino's civil disobedience campaign and to intercede between Enrile, Ramos and RAM, and Marcos's forces, clearly demonstrated Marcos's diminishing power as his original ruling group, and the pillars of his support, crumbled.

The philosophical background of Filipino non-violent action is complex. On a cultural level, an old Malay concept appears to be significant. To be one nation, you must be like one body. The pain of the smallest finger should be the pain of the entire body. This notion militated against a violent opposition to Marcos but encouraged a non-violent mass mobilization to overturn the injustices of the regime. Other deep-rooted ethical justifications for non-violent action were the long tradition of strict non-violence in theological teachings (Cariño 1985:59), the Gandhian desire to convert one's enemies (which coincides with the Christian concept of forgiveness), and the utilitarian perspective that violence would merely render unattainable the desired political and social goods. For the traditional opposition, the prized utilitarian good was the return to liberal democracy. The utilitarian justification for non-violent action shaded into the pragmatic argument, which maintains that 'non-violence is (or can be made to be) more effective than military means' (Mack and Boserup 1974:12). In the Philippines, it was because the legal opposition had no alternative that non-violent action was adopted. The legal opposition had no significant organizational support structure, no guns and no training. Violence

would only have invited bloody repression. Furthermore, a commitment to non-violence was a means by which the Marxists and the non-Marxist opposition could be distinguished, especially since the leaders of the non-violent action were largely legal oppositionists who wanted to avoid communist rule or civil war as much as a continued Marcos regime.

With such a substantial philosophical inclination towards non-violent action, it is not surprising that people's power is a regular theme in Filipino politics. Strikes and other non-violent techniques have long been used to press for improvements to both political and economic conditions. The term 'people's power', was used in relation to the Zoto campaigns of squatters in Tondo (Metro-Manila) in the early 1970s. It also forms the closest English translation of *Lakas ng Bayan* (Laban). There has been an attempt to distinguish between 'people power' and 'people's power': the former being a term for describing the non-repeatable historical experience of February 1986; the latter as a way to describe a populist ideology which, while positing power with the people, could be used by the Aquino government as a way to deny class contention and to sustain 'ruling class control' over the masses (Pinches 1986). Whatever the validity of this distinction, the two phrases will be used interchangeably here.

The theoretical basis of people's power and non-violent action is the belief that power is non-hierarchical and emanates from the people, the grassroots. Thus, the sources of a regime's power ultimately rest with the subjects' obedience and co-operation. While the material and human resources available to the ruler are significant in determining the strength, intensity and scope of the regime's power, once the citizens, including the agents of law enforcement, begin to question the relative desirability of the consequences of obedience and disobedience, and develop a greater self-confidence with which to assert themselves, 'the ruler's will is thwarted in proportion to the number of disobedient subjects and the degree of his dependence on them' (Sharp 1980:4).

Sharp argues that there are benefits peculiar to non-violent action. Non-violent action, particularly if it is met with violent repression, establishes a dynamic, known as political *jiu-jitsu*, which can destabilize the opponent regime. Repression rebounds upon the oppressor. The oppressor is exposed in the worst possible light. This often results in outrage and the realization of the repression's lack of justification amongst uncommitted third parties, the opponent's supporters, and those already sympathetic to the grievance group (*ibid.* 657-658). Violent opposition is much easier to justify in its suppression, whereas non-violent action, by creating an asymmetrical conflict situation, imposes limits on the degree to which the opposition can be persecuted. Non-violent action also focuses attention on the grievance rather than the news-worthy violent clash between demonstrators and the government forces (Cohen 1971:24). As political *jiu-jitsu* becomes more pronounced, the disquiet of the third parties and the regime supporters is often transformed into action in support of the opposition (Sharp 1980:113). The 1944 demise of Guatemalan dictator Jorge Ubico clearly illustrates the pattern of successful political *jiu-jitsu* : 'he was helpless against civil acts of repudiation to which he responded with violence, until these slowly pushed him into the dead-end street where all dictators ultimately arrive: kill everybody who is not with you or get out' (Rosenthal 1962:200).

Marcos, in February 1986, faced Ubico's dilemma. Throughout the 1980s, his power-base had been decaying. Particularly after Aquino's assassination, large sections of the community began to question their obedience and withhold compliance, even in the face of increasing repression. The post-1983 reinvigoration of the non-violent, legal opposition escalated the process of political *jiu-jitsu* at work in the Philippines. The US and the church came to adopt actively critical third party roles. The technocrats, non-crony businessmen and the reformist elements within the military started questioning the efficacy of the repression in the light of their growing agreement with the traditional opposition's complaints against Malacañang. And amongst the non-violent resisters, repression only galvanized their resolve to continue the struggle against Marcos.

Prior to February 1986, non-violent techniques such as strikes, *welgang bayans*, rallies and marches had been used against the regime. However, Aquino's seven-point programme of civil disobedience, announced on 16 February, was the first attempt to promote a non-violent campaign across the whole country. She called for a nation-wide general strike on 26 February, the day after Marcos's inauguration, a boycott of the seven crony-government-owned banks, of the government-crony media and of the products of Cojuangco's San Miguel Corporation, the delayed payment of water and electricity bills, a nightly noise barrage and experiments in other forms of non-violent protest (*Asiaweek* 2 March 1986; *Sydney Morning Herald* 17 February 1986). These tactics were adopted enthusiastically by Manila's middle classes, workers and poor. The inundation of Manila with yellow, Cory's colour, was a further sign of Marcos's diminishing hold on the people's 'hearts and minds'. Aquino's stand had moral endorsement from the church as seen by the 14 February CBCP statement. The church's sentiments were echoed by the RAM press release of 16 February.

The RAM-Enrile-Ramos rebellion was a further instance of civil disobedience: together, they defied Marcos's commands as a protest against the regime. The mutiny was a repudiation of Marcos's mandate, and although it amounted in effect to a reversal of the direction of the guns, it could be construed as part of the non-violent schema (Sharp 1980:332-333). It was not, however, the rebel soldiers who finally destroyed Marcos's hold on power: it was the masses in the streets of Manila who signalled to the church, the US, the technocrats and the AFP the total disintegration of Marcos's mandate. In the early hours of the rebellion on 22 February, Marcos may not have appreciated the seriousness of the crisis, and so miscalculated by opting to attempt to persuade Enrile and Ramos out of their fort rather than risking a rebel attack on Malacañang by moving Ver's forces forward to take Aguinaldo and Crame. Once the people took to the streets with the blessing of the church, Marcos could not have dispersed them without thousands of casualties, and such a resolution was unacceptable to the US. Marcos's dilemma was complicated by the fact that many of the loyalist soldiers would

have refused to open fire on the people (*National Times* 12 October 1986). Even if Marcos had crushed the incipient rebellion and arrested all the opposition leaders in a reimposition of martial law, the mood of the people had so radically altered that civil war would have been the most likely consequence.

In retrospect, by Monday morning, Marcos's power-base had been so undercut that he could not have successfully ordered a crackdown. However, the people in the streets were unaware of this. In the face of the ever-present, and by experience quite justified, fear of a violent end to their protests, a means had to be found to ensure non-violent discipline. It was the church which fulfilled this role, Cardinal Sin over Radio Veritas, and more importantly, the priests and nuns in the streets. Whether non-violence could have been maintained for long beyond Tuesday is now a hypothetical question, but to understand how it was essentially maintained throughout the uprising, one has to appreciate the church's place in Philippine society.

The Philippine Catholic Church is a deeply divided institution, not at all the monolith suggested when referred to as 'the church'. The schism between the conservative and progressive/radical factions is bridged by the moderates in a pattern of conflict which is reflected throughout the Roman Catholic Church in the Third World. At one end of the spectrum are the arch-conservatives who believe that the priest's duty is to minister to the needs of the eternal soul of his flock, with scant regard to their present material situation. It is these clerics who most obviously provide the living evidence of Marx's claim that religion is 'the opium of the people', upholding the *status quo* by making the 'apolitical' commitment not to question present social injustice, while promising a rosy afterlife.

The progressive faction gained impetus from Vatican II and the papal encyclicals of Popes Leo XIII, Pius XI and John XXIII. The plight of the poor and the remedying of social injustice became the centre-piece of the priest's duty towards his congregation. Social injustice was increasingly viewed as structural sin. As the Filipino Jesuit theologian, Fr Antonio Lambino, put it, 'one cannot be *for*

neighbour unless one is *against* the unjust structures, systems and institutions that prevent him from realizing his dignity and freedom as a son of God' (Youngblood 1981:252). In practical terms, this social justice interpretation of the gospel prompted more church criticism of the human rights' excesses of the Marcos regime, and a focus on building Basic Christian Communities at a local level 'to emphasise human dignity, equality and democratic participation' and at the national level a focus on 'restructuring the economic system to ensure a more equitable distribution of the nation's wealth' (*ibid.* 253).

The most radical sector in the church is that which avows the 'theology of liberation'. Employing a Marxist analysis of society, these 'liberation theologians' advocate armed struggle against the dictator and the 'clerico-fascists' of the institutional church. Naturally, liberation theology does not enjoy the Vatican's approval, although this Latin American-developed theology has come to be recognized by many influential church leaders as a valid and useful way of analysing many Third World situations (*Sydney Morning Herald* 29 October 1985). In the Philippines, Christians for National Liberation (CNL) and the NPA's rebel priests are the major exponents of liberation theology, although its slightly less violent version is widely accepted amongst many parish priests, missionaries and lay workers. Indeed, one's position in the church hierarchy often determines the degree of one's radicalism, as seen in the variations of opinion between the CBCP, the AMRSP, and the regional secretariats (Shoesmith 1985:76).

It was this great difference of opinion that the moderates sought to span. They realized that if they were unsuccessful, the church would be irrevocably split, as it had been in Nicaragua. The excesses of the Marcos regime's security forces radicalized the moderates, encouraging them to review the scriptures, particularly Christ's challenge to the pharisaical *status quo*. Cardinal Sin, leader of the moderate bishops, and once described by a leading Filipino Jesuit as 'a shrewd tactician who lacked an overall programme' (*ibid.* 79), became an increasingly outspoken critic of the government in the 1980s. By January 1986, Sin and the CBCP were

reminding the people that they need not vote according to the bribe they had accepted. In a pastoral letter delivered on 18 January, Sin went so far as to warn 'the party in power' that 'if a candidate wins by cheating, he can only be forgiven by God if he renounces the office he has obtained by fraud' (*FEER* 30 January 1986). This level of criticism was quite unprecedented. Although the church did not directly endorse Aquino during the election campaign, it granted her access to its communications network. Furthermore, Namfrel was largely organized by priests and nuns.

The 14 February CBCP statement calling for non-violent resistance to the fraudulent victor marked the point at which the moderates climbed off the fence to join the progressives. This was the crucial difference between 1983 and 1986. Although the moderates condemned the Aquino assassination and alleged official complicity, it was not until 1986 that they actually called for Marcos's departure. In addition, in 1986 they had the moral support of the Pope, who cabled an 'I am with you' message. The church's stand was an acknowledgement that Cory was the first credible alternative to Marcos and the CPP/NPA, and since self-interest can be as much an element in destroying as in reinforcing obedience (Sharp 1980:22), the vision of Nicaragua ensured that the institutional church would do its utmost to swing the revolutionary tide away from Marxism and towards Cory (*FEER* 27 February 1986).

The maintenance of non-violence has been largely attributed to the church. With around 85 per cent of Filipinos embracing Catholicism, the church was in a pre-eminently powerful position to counsel non-violence, in that socialization from birth meant that most Filipinos would listen quite willingly to the church's directives and so would try to fulfil the commandment to turn the other cheek if so directed by the church. In addition, the church remained the one nation-wide legal institution free of Marcos's control and with the human and monetary resources to confront the regime. While there are some who would argue that the people would have come to the rescue of Enrile and Ramos on Saturday evening even without Cardinal Sin's broadcast over Radio Veritas, it is undeniable that

Radio Veritas played an essential role in keeping the people informed, and that the priests and nuns who took up frontline positions before Tadiar's tanks in EDSA and between the groups of Marcos loyalists and 'Cory's crowds' by Malacañang, leading the protesters in prayer and singing of the Ave Maria, were an integral part of the maintenance of non-violence. The presence of the nuns and priests rekindled the people's faith, which helped them overcome the fear of possible death on the streets. The experience in EDSA united the citizens of Manila in a way that had never been achieved before (*Sydney Morning Herald* 26 and 27 February 1986). The spiritual nature of people's power has been noted by many of the participants. The spontaneity, the spiritualism and the cross-class nature of those four days in Manila led many to call this non-violent uprising a people's power revolution.

Central to the idea of revolution are social change, mass action (or at least acquiescence) and, usually, violence. More often than not, the 'success' of the revolution is judged merely in terms of the long range reconstruction of society rather than the event itself. Although revolutions are 'cataclysmic events that shape eras of human history' (Walton 1984:1), the emphasis on their long term ramifications in many analyses (Dunn 1972:12; Skocpol 1979:4) makes it difficult to evaluate, so soon after the event, the success of people's power as a *real* revolution. Although the Aquino government appears more competent and certainly more committed than the Marcos regime in dealing with the pressing social, economic and political problems of the Philippines, it cannot be said that the Philippines has undergone a crisis which has resulted in 'the coincidence of societal structural change with class upheaval; and the coincidence of the political with social transformation' (*ibid.* 4).

In the long-term structural sense, the struggle of February 1986 cannot presently be called revolutionary, although it is quite justifiable to term people's power a 'political revolution'. Tilly (1978:190) makes a useful distinction between revolutionary situations and revolutionary outcomes. The former are characterized by multiple sovereignty, that is, 'when a government previously under the control of a single sovereign polity becomes

the object of effective, competing, mutually exclusive claims on the part of two or more distinct polities'. Clearly, such a situation existed in the Philippines in early 1986, with Marcos besieged by the claims of two competing 'polities', Aquino and the CPP. Revolutionary outcomes are characterized 'by the displacement of one set of power holders (and policies) by another' (Walton 1984:12). In the political sphere, if not the economic or social spheres, people's power certainly achieved such a displacement of power holders; hence, the 'political revolution'.

Symptoms of impending revolution had been long observable in the crumbling authority of the Marcos regime in the 1980s. The elite was split. Even some of the less avaricious crony politicians had started to question the moral basis of Marcos's hold on power. The intellectuals had long since deserted the regime, the universities forming a hotbed of anti-Marcos sentiment. It could be argued that class differences in the 1980s were increasing, with at least some of the rich getting richer and all of the poor getting poorer. However, the split within the elite and Marcos's antagonization of the middle classes halted this class polarization and united these disparate groups in opposition to their common foe, Marcos, bringing them into the streets in February 1986 to protest his rule. The Philippines in the 1980s also experienced rapid social and economic change which rendered Marcos's political arrangements obsolete. The devastation of the economy denied Marcos access to his essential and massive funds for patronage. In the ruins of Marcos's political order were the seeds of a revolutionary situation.

The final element necessary to realize this revolutionary potential was leadership from new and determined political elites. To capitalize on the (usually) pre-existing state of chaos, effective political leadership is essential (Dunn 1972:22-23). By defining revolution in terms of an elite's forcible seizure of power through mass action and its subsequent attempts to reform society, the essentially elitist and authoritarian aspects of revolution stand out. (It is in light of this definition that coups can be revolutionary.) The spontaneity of the Philippine uprising tended to militate against one elite rising above the chaos of the competition. Even within

Aquino's cabinet many trends are evident. For the CPP/NPA, the *real* revolution, of course, has not yet occurred. They did not play an active role in people's power because their leadership was not, at that time, 'effective' (*Ang Bayan* March 1986). The decision to boycott the election marginalized the Left, and its leaders were in hiding and unable to speak out. However, the CPP/NPA still have the willpower and the resources to continue their struggle.

One of the most interesting theoretical questions raised by the Philippine experience is the necessity of violence in a revolutionary situation. Johnson (1982:7) maintains that 'an irreducible element of any revolution is the resort to, and acceptance of, violence'. He defines violence broadly as behaviour-distorting anti-social activity which 'is not necessarily brutality, or insensitivity, or the antithesis of empathy' (*ibid.* 8). This would seem to include non-violent coercion: 'change [which] is achieved against the opponent's will and without his agreement, the sources of his power having been so undercut by non-violent means that he no longer has control' (Sharp 1980:69). Clearly, Johnson's use of 'violence' does not accord with its popular definition: 'direct assault upon the body of another in order to inflict pain, injury or death' (Wrong 1979:24). Violence is the ultimate form of force or coercion, but not the only form. Non-violent coercion/force occurs when the protestors 'use their own bodies as physical objects to prevent or restrict actions by others rather than acting directly on the bodies of others' (*ibid.* 24). Thus, a revolution is coercive, but need not be violent.

By placing their bodies between the rebel troops and the loyalist tanks, in conjunction with their other acts of civil disobedience, the people confronted Marcos with a choice: to shoot them all and restore order, or to resign and hand the presidency to Aquino. Through their non-violent action, which only aggravated Marcos's other economic and political problems, his regime's remaining capacity for repression collapsed. The Marcos regime suffered 'the sudden dramatic breakdown of power which ushers in revolutions' (Arendt 1970:49); it was toppled in a coercive revolutionary manner, but without substantial immediate loss of life.

Conclusion

The preceding sections illustrate that many forces were at work in the downfall of Marcos. However, if forced to choose between the labels of 'people's power' or 'palace coup' to describe the events of February 1986, people's power would seem to be the most appropriate. While the military's contribution was extremely important, the RAM mutiny only gained legitimacy in the context of the stolen election. The US played a less important role than the military, with US criticism somewhat unexpectedly forcing Marcos to an early poll, and US pressure to avoid a bloody outcome of the post-poll crisis restricting Marcos's freedom to manoeuvre. Yet, it was the change in the people's mood, especially Manila's middle class, that was the critical reversal suffered by the Marcos regime. Once the middle class was no longer prepared to obey Marcos, a dynamic was established which left the president in a precarious situation: violent repression of this Manilacentric movement would have so outraged and radicalized the legal opposition that many would have joined or at least aided the underground armed opposition. A civil war could have resulted and the CPP would have been the most obvious beneficiary. The February 1986 presidential election was seen by many Filipinos as the last-ditch effort to oust Marcos electorally. Similarly, people's power under Aquino's moral leadership was almost as much directed at the radical Left as against Marcos: it was mobilization by the moderate opposition to secure the succession and forestall further gains by the CPP.

Marcos's demise was logically foreseeable, in that his power-base had been substantially eroded during the 1980s. The economy was in an extremely unhealthy state. The extravagance and economic irrationality of the Marcoses and their cronies had alienated the technocrats and business leaders, while cronyism within the AFP caused substantial factionalization. The lack of a presidential succession mechanism, especially in the light of Marcos's poor health, further fractured the ruling elite, as personalities came into conflict - particularly those of Imelda, Ver,

Cojuangco and Enrile. The assassination of Benigno Aquino proved the turning point for Marcos's regime. It spurred renewed popular interest in the legal opposition, a *de facto* liberalization of the media, and a much more critical stance by the church, the US Congress and elements within the State Department. And with the NPA escalating its activities, Marcos never again appeared fully in control. Indeed, the regime's loss of its sophistication in dealing with dissent appears to validate Arendt's (1970:56) distinction between violence and power: 'Power and violence are opposites ... Violence appears where power is in jeopardy but left to its own course it ends in power's disappearance.' Nothing could have been truer in the streets of Manila in February 1986.

The involvement of the US was secondary. Although the neo-colonial relationship perhaps set the parameters of the Filipino political sphere, the ambivalence of Washington towards continued Marcos rule, and Washington's apparent inability to formulate a coherent policy in response to such a closely contested election militate against an interpretation crediting the US with a major role. While the CIA apparently knew of the RAM-Enrile coup plot, active US involvement in the mutiny seems unlikely, considering the speed of events and the personal imperatives of Enrile, Ramos and the RAM colonels. The US's pressure for a non-violent resolution to the crisis appears to have been motivated as much by fear of communist infiltration of the moderate opposition as by any humanitarian consideration. Violence would have destroyed Washington's 'third force' strategy and left it once more with Hobson's choice.

It was the NPA's growing strength which spurred the reformist elements of the military to action. The AFP's level of involvement in politics had steadily increased with martial law, and as the ethos of civilian supremacy was whittled away, the AFP's potential for political intervention increased. While the AFP may have been on the verge of a further step towards military control had Enrile's coup plan succeeded, the open revolt was extremely dependent on the support of Ramos and the people. Ramos's defection was essential to ensure the support of the remainder of the AFP and to

assure the people of the military's honourable intentions. The people were indispensable because their presence in the streets not only blocked the tanks' advance but also undermined many of the soldiers' loyalty to Marcos. Thus, the events of February demonstrated that military intervention in politics may only be possible if implicitly sanctioned by the people, but particularly the middle class. While the AFP may have been technically capable of intervention, had Enrile attempted to usurp Aquino's popular mandate, the people, in all likelihood, would have rejected RAM's move and another split in the military between Enrile and Ramos factions would have ensued.

The people's power interpretation of Marcos's fall is the most convincing. It isolates the single most significant factor in Marcos's downfall: Marcos's rejection by the middle class and the church, as well as by the poor workers and peasants. People's power, as a successful case of non-violent action, incorporates the US's withdrawal of support for Marcos, the RAM mutiny, and the growing presence of the CPP/NPA as the third alternative, an alternative unacceptable to the US, RAM, the moderate opposition and the church. While the leaders of RAM may have been motivated by considerations other than Aquino's claim to the presidency, the choice facing the average soldier was the same as that facing the citizen: people's power or Marcos. A non-violent mutiny is as much an act of civil disobedience as a general strike. The dynamic of political *jiu-jitsu*, established by the opposition's non-violent action, had gained such momentum by 22 February that the military rebellion was merely the final blow to Marcos's power-base. The church's decision to support Aquino was important both in the preservation of non-violence and in signalling that Marcos could no longer hold the support of even the relatively conservative church hierarchy. Admittedly, the moderate opposition had no plausible alternative to non-violent action, but this commitment to non-violence seemed to coincide with a deep conviction among Filipino citizens that legal means should be tried once more to oust Marcos.

Finally, the influence of Mrs Corazon Aquino should not be underestimated. It was she who unified the people by providing them with a popular alternative to Marcos, and it was she who insisted on non-violence. Aquino's political acumen allowed her to forge an alliance with Enrile, while resisting his attempts to establish a junta. Indeed, she is the 'mother' of the February 1986 Filipino political revolution. Although it is too early to evaluate it as a social revolution, people's power has created a 'myth', which both legitimizes the Aquino administration in true democratic spirit, and engenders in Filipinos a greater sense of belonging to and power over the system. It is perhaps this reassertion of the democratic political consciousness among Filipinos, especially the middle class, which constitutes one of the most significant 'revolutionary' changes brought by 1986.

CHAPTER 2

THE QUEST FOR POLITICAL LEGITIMACY IN THE PHILIPPINES: THE CONSTITUTIONAL PLEBISCITE OF 1987

Mark Turner

On Tuesday 25th February 1986 two presidents of the Philippines were sworn into office in different parts of Manila - the incumbent, Ferdinand Marcos at Malacañang Palace and the challenger, Corazon Aquino, at the Club Filipino. This was one president too many. By the evening of the same day the problem had been solved by the abrupt flight of one contender, Marcos, to Hawaiian exile. Aquino thus assumed the presidency much to the delight of hundreds of thousands of supporters who thronged the streets of Manila. But what gave her the right to hold this office? Was it because she was the victor in the presidential election? Perhaps her claim to power was based on her popular support on the streets of Manila, the hundreds of thousands of people who had thronged the EDSA highway. Maybe there had been a successful revolution and she was the leading representative of the new order. Had she been installed as president by the military or had the events of 23-25 February 1986 been, as many believed, a case of 'divine intervention'?

All of these questions focus on the central issue of legitimacy, 'that political condition in which power-holders are able to justify their holding of power in terms other than those of the mere fact of power-holding' (Lewis 1982:125). Since Weber (1948:1978) subjected legitimacy to his intellectual scrutiny in the 19th century the concept has remained at the forefront of political science enquiry (Connolly 1984) and has been of particular interest to those studying the new states of the Third World (e.g. Heeger 1974:134; Horowitz 1979; Casanova 1979). But it is not only scholars who have been concerned by legitimacy. Governments have invested considerable resources in attempting to 'generate a

belief in the obedience-worthiness of their rule which will in normal circumstances secure the acceptance of their decisions without resource to overt coercion' (White 1986:482).

This concern with legitimacy has been a pronounced feature of Philippine political culture since the late 19th century. Thus, it was not surprising that a major issue on Aquino's political agenda was establishing legitimacy for herself and for the mode of government to be promoted by her regime. This paper examines Aquino's quest for legitimacy during the first year of her rule. The methods selected by Aquino for attaining legitimacy will be analyzed while the reasons for government concern with legitimacy will be demonstrated. Also, there will be an account of the steps taken by the government to achieve legitimacy and of the elements of instability in the political environment which attempted to impede progress towards that goal of legitimacy.

Selecting the path to legitimacy

In February 1986 President Aquino had a number of choices open to her and a number of variations on those choices. She could merely step directly into Marcos's shoes by accepting his 1973 constitution. This was of course unacceptable if it involved the continuance in office of the Batasang Pambansa (National Assembly) as this body was dominated by Marcos's political party, the Kilusang Bagong Lipunan (KBL). Promoting the power of opponents was not on Aquino's agenda. She could perhaps have called Batasan elections but this would have acknowledged the legality of the 1973 constitution and the legitimacy of Marcos's political system. And Aquino had come to power largely because that system had been identified by many groups and organizations as illegitimate. To many, the 1973 constitution was both the symbolic and legal foundation of a massively corrupt, morally bankrupt, inequitable and illegitimate regime. To persevere with such an instrument was unthinkable. A return to the 1935 constitution with its elected Congress and Senate was a possibility mooted by some. The stigma of Marcos did not attach to this piece

of legislation and as it existed there would be no delay or cost of preparation. However, to utilize the old constitution was considered a retrograde step as it was under scrutiny when Marcos declared martial law in 1972. A constitutional convention had been deliberating for nearly two years on changes to the 1935 constitution. Not only was this document seen to be in need of alteration but it was also a creation of the American colonial era and so offended certain nationalist sentiment. A third option was for Aquino to declare a revolutionary government and, at least for the moment, forget about the legalities of constitutions. She could thus easily accommodate her mode of government to the extraordinary conditions of the times. The supporters of this political expedient argued that the Philippines was in crisis and as such required radical treatment which could only be administered by a revolutionary government unencumbered with considerations of constitutionality. Such a platform does not go down well in the Philippines where the elite and leading classes have a historical preference for the security promised by the legalities of a formal constitution. Aquino also knew that important sections of the international community (notably the US, multinational banks, the International Monetary Fund (IMF) and the World Bank) with a direct interest in the welfare of the Philippines would be uneasy about the status and intentions of something called a 'revolutionary government'. The president wished to secure foreign assistance in renegotiating debt and in promoting socioeconomic development. To foster unease in potential and actual international partners would not help her to fulfil her wishes. As Vidich (1979:297) has observed, 'political legitimacy in the Third World has now become a process which includes a substantial investment of extra-national elements'.

This left Aquino with one final option. She would have to produce a new constitution and while it was being prepared govern under some sort of transitional arrangements. Her electoral platform had been built on opposition to the system which Marcos had constructed and to those who had found power and fortune under that system. Thus, there was widespread anticipation that dramatic changes in the system and policy-orientation of

government would be forthcoming. A new constitution was seen as a way of exorcising the influence of Marcos from the political system and of redirecting that system to worthier ends. Eventually, on 25 March 1986 a short proclamation was issued by Aquino declaring 'a provisional constitution for an orderly transition to a government under a new constitution' (*Far Eastern Economic Review (FEER)* 3 April 1986). The new constitution was to be written in a mere ninety days by a commission of thirty to fifty members and both the new 'permanent' constitution and 'a duly elected parliament' were to be in operation within one year. The term 'revolutionary government' was studiously avoided in describing the arrangements for the transitional period. A 'temporary Freedom Constitution' was to provide the 'battered' nation with shelter. It was essentially the 1973 constitution shorn of some of its provisions. The *Batasang Pambansa* was scrapped thus removing any lingering hopes among the KBL that they might share power. Although some of Marcos's unfettered presidential powers and the office of prime minister were abolished Aquino still retained enormous personal powers. The 'Freedom' part of the interim constitution's title was to assure people that all 'new won rights and privileges' would be safeguarded. It is interesting that it took Aquino and her advisers one month to make the simple proclamation about writing a new constitution and transitional government arrangements. It is not, however, surprising given the prominence which Filipino politics has consistently awarded to legitimacy, constitutionality and legality. The delay in making the proclamation can be accorded to these elements of political culture.

Filipino concern with legitimacy originates in the reform movement of the last two decades of the 19th century. Educated and relatively wealthy Filipinos proposed modest programmes of reform to their peers according to the imported principles of Western liberal democracy. These principles found expression during the revolution with 'several attempts at constitution-making, by Filipinos' (Aruego 1954:24) before the framing of the Malolos Constitution in 1898-99. According to Agoncillo and Guerrero (1973:236) this document was 'anchored in democratic traditions that ultimately had their roots on American soil' although

it drew heavily on Spanish and Spanish-American constitutions and to a lesser extent the constitutions of France and Belgium (Aruego 1969:43). The important point is that it established constitutionality as a leading element of political legitimacy in the Philippines. The necessity of framing constitutions and acting, or at least appearing to act, in a constitutional manner entered Philippine political culture. Constitutionalism incorporating principles of Western liberal democracy was more firmly entrenched in the American colonial period. Although 'political education' did not proceed quite along the lines envisaged by the Americans (May 1980:41-73) it has been argued that by the time the 1935 constitution was written 'more than three decades of colonial education and cultural Americanization had produced a ruling elite that regarded the American concepts of government and American political institutions as the highest development of democracy' (Constantino 1975:346). Also, less fervent nationalists have observed that many American political practices, including those of a corrupt and morally suspect nature had already found a 'rich soil' in the Philippines (Agoncillo and Guerrero 1973:431). An extreme reverence to constitutions was one of these practices. The importance of this is neatly summed up by Apter (1977:146) in his assertions that 'in the United States, the Constitution is absolutely the last word, the embodiment of legitimacy. To violate the Constitution in practice or in spirit is to surpass the limits of political mandate'.

The election of delegates to the constitutional convention in 1934 emphasized another major element of political legitimacy in the Philippines, a preoccupation with legality. Filipinos directly concerned in the political process pay great attention to the legality of institutions, activities, legislation and constitutions. Although this may be a practice imported from the United States it is the numerical dominance of lawyers in the Philippine political elite which offers the most convincing explanation of the tradition of legalism in political culture. In 1934, 81 per cent of the delegates to the constitutional convention were lawyers (Juco 1969:18), a fact which may explain why the convention got off to a slow start, the delegates spending many weeks discussing rules and then sub-

dividing into more than forty committees. But lawyers had appropriated Philippine politics from the early days of American rule. In the Malolos Congress of 1899, of the eighty-eight members for whom data are available, forty-three (49 per cent) were lawyers (Zaide 1954:253). In the First Philippine Legislature (1907-09) of the American period, forty-seven (59 per cent) members were lawyers while another nine (11 per cent) had legal training (May 1984:187). Sixty-three per cent of the eighty-one members in the Third Legislature (1912-16) were lawyers while a further eight (10 per cent) had legal training (*ibid.*). Similar findings were made in postwar studies of Congress and Senate. Simbulan (1965) analysed Philippine legislators in the period 1946-63 and identified 69 per cent of congressmen and 73 per cent of senators as lawyers. In another study of 1963 legislators (Abueva 1969a), 58 per cent of senators and 65 per cent of congressmen cited law practice as an additional source of income. Over 40 per cent of each group held law degrees while even among local level elected officials, lawyers were often the leading occupational group. Fifty-six per cent of governors, 48 per cent of vice-governors and 43 per cent of city mayors were lawyers. Although the legal profession did not have the extraordinary numerical dominance of previous regime's political elites, lawyers still constituted 37 per cent of Marcos's early political elite and were the leading occupation (Agpalo 1975:7).

Abueva (1969a:271) notes that the 'abogado' (lawyer) has held high prestige in Filipino society since Spanish times and legal training was seen from the early twentieth century as a way to 'advancement' for the able and ambitious Filipino. The legal-client relationship appears to be 'analogous to the roles of representative, intermediary and broker often expected of a politician' while legal knowledge is advantageous for the politician because of 'the baffling intricacies of Philippine law and the art and expertise of living with it that has evolved' (*ibid.*). As a final note on the proclivity of the Filipino politician to the legal profession, it should be noted that until Aquino assumed office in 1986 only one president of the Philippines (Magsaysay) had not been a lawyer. Thus, the enduring concern with legality commenced at the top of

the political ladder and was enforced from there, especially and perhaps paradoxically because successive presidents were able to exercise greater powers than those officially vested in them by the constitution.

The symbiotic relationship between legality, constitutions and political legitimacy in the Philippines should now be apparent. Constitutions are revered in Philippine political culture. The fundamental objective of a constitution is 'to provide a basic law for a governmental regime' (Pritchett 1968:295). Philippine politics has been a domain of lawyers who have been greatly concerned with legality. The constitution is the basis of legality and so must act as a fundamental element in determining political legitimacy. Without a constitution a regime is viewed as illegitimate as it lacks a legal basis. This may explain Marcos's extraordinary concern with constitutionality after the declaration of martial law in 1972. Admittedly, he was anxious to secure legitimacy in the eyes of the international community but, more importantly, he was conforming to a longstanding Philippine tradition. Del Carmen (1979) has demonstrated Marcos's attention to constitutionality in declaring martial law. He made great use of a Supreme Court decision (*Lansang v. Garcia*) upholding his own suspension of the writ of *habeas corpus* following multiple killings during a political rally in Manila's Plaza Miranda in August 1971. This case was in fact a legal test run to determine the constitutionality of martial law before its declaration.

Marcos then set about ratifying a constitution. A constitutional convention was already in session when martial law was declared and had almost completed the revision of the 1935 constitution. Within two months of the declaration of martial law a new constitution was presented by this convention. In an effort to acquire a rapid endorsement of his enormous 'temporary' powers Marcos organized an informal referendum. The constitution was, according to official sources, overwhelmingly ratified by show-of-hands in the approximately 35,000 citizen's assemblies throughout the Philippines. Many would argue that this method of ratification was a farcical exercise for which results were fabricated. Canoy

(1980:155) notes that in 'bizarre cases' leaders asked some trivial question such as 'Are you ready for lunch?' to secure the enthusiastic hand-raising for the photograph of the great formal approval for the constitution! Other referenda/plebiscites followed with regularity. It is not necessary to examine the operation or outcome of these presidential initiatives. What is important is that Marcos felt it necessary to regularly engage in some form of legitimating ritual in an attempt to satisfy the twin traditions of constitutionality and legality and to assure foreign powers that 'democracy' was alive and well in the Philippines.

Political rituals employed for the purpose of legitimation were not new in the Philippines. Suhrke (1971) in her commentary on pre-martial law politics lists such tactics as congressional investigations which result in little or no action, legislation which is far-reaching and much publicized but only partially implemented and personal concern demonstrated by the president on a given matter. These rituals can give the appearance that 'something is being done', performance legitimation, when in fact very little or anything is occurring to alter the *status quo*. Stress on a shared ideological heritage, which finds its highest expression in the constitution, performs a cohesive function lessening the conflicts which the vast and obvious inequalities of Philippine society have the potential to foment. But it was as Agpalo (1975:8) has emphasized, 'Because they were elected in the course of popular elections, the pre-martial law political elite achieved legitimacy'. It is interesting to note that despite recurrent fraud and violence 'the contending parties in pre-martial law elections tended to circumvent electoral rules and regulations rather than tamper with the law or the rules themselves' (Carbonell and Nicolas 1985:57). Legality and the constitution were not for alteration except by duly constituted authorities. As politicians were elected according to the provisions and principles of Philippine constitutionalism, they were legitimate representatives even though they were guilty of a multitude of political sins such as graft and corruption, poor legislative performance and self-interest.

But a regime can extend the gap between ideology and reality only so far before political legitimacy is called into question. Many questions were being asked prior to martial law, though perhaps by restricted circles, and attempts were being made to answer them in the 1971 constitutional convention elected to change the 1935 constitution. The dominant legalist perspective encouraged the prevailing view that 'the old constitution somehow had resulted in the ills of Filipino democracy' (Abueva 1979:37). The reverse side of the coin was the assumption that the ills could 'somehow' be legislated away in a new constitution. While consolidated elite power was under attack from dissatisfied social classes, organizations and individuals, those agitating for change did not need to step outside of the Philippine tradition of constitutional thought in order to find their platforms. They merely needed to alter the emphasis in what already existed. More nationalist sentiments were demanded to remove foreign influence which attached to the 1935 constitution. The legislation suffered from being framed under colonial supervision and subject to the approval of the president of the colonial power. The existing stress on the civil rights of individuals should be complemented with provisions designed to promote and guarantee the social and economic interests of 'lowly sectors of society'. There should be more 'democracy' and more 'equality'. All the ideas and principles, however vague or ambiguous, were already present in the constitutional heritage which political elites had so assiduously handed down over the years.

The advent of martial law did not, as we have already noted, diminish concern with constitutionality and legality. Quite the reverse, the regime was doubly concerned with these items because 'the political formula of Filipino liberal democracy ... prescribes that martial law is not a normal institution' (Agpalo 1975:13). The lawyer-politician president was only too aware of the traditions and was determined to give the impression that constitutionalism and the legitimate rule of law were alive and well. All manner of devices were employed to this end - referenda, plebiscites, elections, court rulings, barangay democracy and endless propaganda. But credibility gradually diminished to the point

where it is more appropriate to talk of regime tenability (McDonough 1981:171) rather than legitimacy, if by the latter we mean 'the popular acceptance of political institutions as both lawful and moral' (Abueva 1969b:532). That Marcos was engaging in passive political participation, mobilizing people according to his wishes and orchestrating outcomes of supposedly democratic procedures to his requirements became increasingly apparent to all. That the judiciary had been rendered subservient to Marcos's political needs could hardly remain hidden. Even the president's legendary legal knowledge and skill and the critical court cases decided in favour of the regime could not conceal that judicial independence was a myth. That the military had encroached onto civilian political territory and jettisoned certain established constitutional rights *en route* had not gone unnoticed; neither had their reluctance to retreat. The national crisis which was held up to justify these attacks on constitutional sacred cows could not be perpetuated too long without the population making their own assessment of what that crisis actually was. As they attempted to match Marcos's efforts to preserve some semblance of constitutionality with corruption, cronyism, falling living standards, increased unemployment and other societal ills so the legitimacy which Marcos had been at such pains to erect began to collapse. The popular acceptance of his political institutions as lawful and moral had evaporated long before 1986. Legitimation through good performance was hardly a way out as economy and society staggered from crisis to crisis. The coercive capacity of the state and mass acquiescence became more critical to the survival of Marcos as opposition from below grew and sections of the elite withdrew support.

Ironically, it was Marcos's attempt to impress the world with his political legitimacy at home which led to his downfall. He contested a presidential election against a 'housewife' (Aquino) in order to demonstrate the popular acceptance of his rule and to 'once and for all end scepticism over his government's legitimacy' (*FEER* 20 February 1986). The 'housewife' proved to be formidable opposition whom Marcos could only attempt to beat by employing massive electoral manipulation duly recorded and reported by

hordes from the international and local media. What is, in retrospect, astonishing about the election is that people, especially those supporting Aquino, turned out in their millions to vote. After more than a decade of systematic electoral manipulation orchestrated by Marcos why would there be such a high level of voter turn-out to participate in an event, the conduct of which many knew would be highly suspect? One important contributory factor was that people still adhered to the constitutional and legal tradition of validating legitimacy through electoral means. The retention of this belief says much for the survival capacity and hence strength of certain long-established elements of Philippine political culture.

This excursion into the traditions of constitutionalism and legalism in establishing political legitimacy in the Philippines should not be misconstrued as an attempt to exclude other factors from the explanation of such legitimacy. The point is that successive generations of Filipino politicians and different types of regime have demonstrated a consistent concern with constitutions and laws. As all observers of Philippine politics know, such concern has not precluded a multitude of political malpractices and a form of democracy which, when operating, has borne little resemblance to that described by theorists of pluralist democracy and to liberal interpretations of the constitution itself. As Carbonell-Catilo (1986:123) notes, 'the Philippine experience shows clearly that political arrangements which are constitutionally mandated and legally based go a long way towards effectuating manipulation in ways desired by the ruling elite'. President Aquino is not tainted with the sins of manipulation and so occupies the moral high ground but her early actions in government showed that she too upheld the faith of constitutionalism and legality. She is the latest in a line of presidential exponents of these traditions, although her interpretation of them may differ from her democratically-elected predecessors. It certainly forms a stark contrast to the machinations of the man she succeeded. Finally, the strong traditions of constitutionalism and legality are not found to anywhere near the same degree in other comparable Southeast Asian societies. What Weber (1948:79) terms the 'legitimation of

domination by legality' has not gained such a foothold in nations such as Thailand, Indonesia or Malaysia. The prominence awarded to such legitimation, and indeed to the perceived necessity for that legitimation, is a feature of Philippine politics which distinguishes it from the politics of its ASEAN neighbours.

The Constitutional Commission

To dismantle Marcos's 'constitutional authoritarianism' and to secure her regime's political legitimacy and stability, President Aquino had chosen the well-worn legal and constitutional way. In order to accomplish this objective the president required a committee or convention to actually draft the new constitution. Such a body would be expected to be representative of the 'sovereign will' of the people, especially so in Aquino's case given the way in which she came to power. But how would the constitution-drafting body be selected? Would it be necessary to undertake some form of electoral exercise to choose delegates or would it be acceptable for the president and her advisors to simply appoint members?

Philippine constitutional history was not forthcoming with a solution to Aquino's dilemma. The Malolos Constitution of 1899 was written by one man, Felipe Calderon. Although it went before Congress for approval, this body was not truly representative of the people. Up to sixty members of the 136-man Congress were appointed rather than elected while all were from the higher socioeconomic orders of Philippine society. The constitution of 1935 was framed by 202 delegates elected from districts throughout the Philippines. As there was no universal franchise the 'popular' vote was restricted to 1,704,005 registered voters of whom only 873,021 (51 per cent) went to the polls compared to 1,344,557 (79 per cent) who voted in the 1934 general elections (Aruego 1954:51). The popular vote was nowhere to be seen during the Japanese occupation. The Japanese High Command merely ordered the Executive Commission of the Philippines to prepare a constitution. An appointed convention 'elected' twenty

members of the Philippine elite to the Preparatory Commission for Philippine Independence which was authorized to frame the constitution (Zaide 1970:70). In 1971, 2,481 candidates contested 320 seats in a popular election in order to win the privilege of drafting the new constitution. The battle was keenly fought and aroused considerable public interest. The successful candidates were drawn from the middle and upper socioeconomic levels and were perhaps not representative of all interests in Philippine society, especially those of the lower orders. They were, however, more representative of the 'sovereign will' of the people than any of their predecessors in the constitution-drafting business.

Unencumbered by a strong tradition of electing constitutional conventions Aquino was able to choose the option of appointing a commission to draft the constitution. Despite Aquino's commitment to democracy there were good practical reasons for taking this course of action. First, the government would have to make heavy financial expenditures to hold an election. Official resources were severely limited after the expensive Marcos campaign in the presidential election and the new policy was to save on government expenditure wherever possible. Secondly, even if funds were made available, it could take well over a year to conduct the constitutional elections and ensuing deliberations. President Aquino wanted a speedy constitutional resolution to the matters of legitimacy and stability while she had no wish to delay elections for local and national officials. Thirdly, Aquino was anxious to promote political stability, a condition that could be jeopardized by the immediate holding of an election. Given the political climate of the time an election could have been a highly volatile affair. Fourthly, by appointing a relatively small and able body, operational efficiency could, theoretically, be maximized and the job completed in the shortest possible time. A body such as the 320-person convention of 1971 was more likely to be unwieldy and slow as well as being far more expensive. Finally, Aquino could claim not to be compromising her democratic principles as the constitution drafted by her appointed team would require ratification in a plebiscite. Thus, the adoption of the constitution would depend on the 'sovereign will' of the people.

It took Aquino two months from the proclamation of her intention to draft a new constitution to announce the names of the delegates to the Constitutional Commission (Con-Com) of 1986. A number of potential candidates such as former senator Raul Manglapus, even Marcos's vice-presidential running mate and constitutional expert, Arturo Tolentino, and various regionally-based persons did not wish to be considered for appointment as Aquino had ruled in *Proclamation No. 9* that no Con-Com delegate would be allowed to run for public office for at least one year after the ratification of the constitution. Nevertheless, there were plenty of able candidates. Aquino first announced the names of forty-four delegates on 25 May 1986 to tens of thousands of her supporters who had gathered outside Manila's Camp Aguinaldo army headquarters to celebrate the three month anniversary of the February revolution in the 'Reunion of EDSA Heroes'. A further five 'opposition' delegates, former Marcos supporters, were named the following day while the last seat was left for a representative of the indigenous church, the Iglesia ni Kristo. The Iglesia ni Kristo failed to find a suitable candidate and declined to participate. One of the nominated opposition delegates also declined the Con-Com appointment as he wished to stand in post-plebiscite elections. Thus, Con-Com became a 48-seat commission and not a 50-seat commission as originally envisaged.

The appointed delegates comprised forty-two men (87.5 per cent) and 6 women (12.5 per cent). Male dominance was secure although not as pronounced as in 1971 when there were thirteen women delegates making only 4 per cent of the membership of the convention. The appointees to the 1986 Con-Com were generally held to represent a wide range of sectors and political persuasions. The newspaper *Business Day* (26 May 1986) captured this well in its observation that:

The 44 delegates chosen include eight professors and educators, four former senators, six former Constitutional Convention delegates, three former jurists, three lawyers, three from the clergy, two labor leaders, one film director, one student leader, one anthropologist, one ambassador,

one former military official, two newsmen, one civic leader and one economist.

Although this list would appear to suggest that the traditional dominance of lawyers had been broken, this would be a mistake. In addition to the six former jurists and lawyers noted above, a number of other delegates had undertaken a legal education and/or had practised law. The legal profession was still numerically the largest profession on the Con-Com although they did not have the superior numbers seen in previous Congresses or in the 1935 and 1971 constitutional conventions. Furthermore, in the 1986 Con-Com belonging to the same profession by no means entailed sharing the same ideology.

Indeed, ideological differences were more evident in the 1986 Con-Com than in any previous constitution-drafting gathering. By using appointive rather than electoral methods of delegate selection Aquino was able to ensure that opinion from a wide range of the political spectrum would be represented. Whether an election would have produced similar results remains unknown. No known communists were included, despite early rumours that the 'reds' would be invited to participate. The political Left was represented by such figures as Jaime Tadeo, leader of the militant peasant movement Kilusang Magbubukid ng Pilipinas (KMP), Minda Luz Quesada, leader of the Health Workers Association, Jose Luis Gascon, student leader from the University of the Philippines, and Ponciano Bennagen, anthropologist with the University of the Philippines. The conservatives included Joaquin Bernas, President of the Jesuit Ateneo de Manila University, Bernardo Villegas, a senior vice-president of the private sector-funded Center for Research and Communication, and former senators Francisco 'Soc' Rodrigo and Ambrosio Padilla. The opposition appointees, three former KBL assemblymen and one former Marcos cabinet-member, naturally gravitated to the political Right. Also populating Con-Com were the numerically-dominant moderates whose views on many issues would be likely to coincide with those of Aquino. The same judgement might be made of some elements in the conservative camp. Among both conservative and moderate delegates were

many who had been active in their support of Aquino during and after her electoral campaign. Thus, it was predictable from the start that the constitution which would emerge from Con-Com's deliberations would be likely to find favour with the president. Aquino could, as she promised at Con-Com's inaugural ceremonies, maintain her distance from the proceedings and make no attempt to influence the outcome yet still safely assume that the majority of constitutional provisions drafted by Con-Com would be to her liking.

The Con-Com first convened on 2 June 1986 at the Batasang Pambansa building in Quezon City. Elected president was seventy-two years old Cecilia Muñoz-Palma, a former Supreme Court Justice, member of the Batasan in opposition to Marcos and active in the Cory Aquino for President Movement. Other officeholders were also elected including the chairpersons of seventeen standing committees in which much of Con-Com's work would be accomplished. Twenty million pesos were allocated to cover Con-Com's costs and in keeping with the democratic people-power spirit of the times sessions of Con-Com were to be open to the public. An intention to televise proceedings was also declared. Con-Com would endeavour to comply with *Proclamation No. 9* and complete a draft constitution in ninety days for submission to the president who would in turn ask the people for their verdict in a national plebiscite. In an opening day interview, Palma expressed the views of many delegates when she asserted that framing the new constitution was an 'urgent' and 'vital' task which would bring 'immediate' political and economic stability (*Business Day* 3 June 1986). The implicit argument was that the constitution would provide legitimacy which would necessarily create stability. National problems could be solved because the proper legal steps had been taken.

Indeed, some legal steps had already been taken in a different direction by the political opposition from the Marcos-loyalist camp. Three petitions questioning the government's legitimacy had been presented to the Supreme Court. The court gave a unanimous decision on 22 May 1986 that the legitimacy of the regime was

judged by the people when they accepted the Aquino government which the court held was in such effective control of the country that it was not merely the *de facto* government but also *de jure*. The court also cited the recognition of the Aquino government among the 'community of nations' as further proof of its legitimacy. A direct challenge to Con-Com came from the Left side of the opposition with the Bagong Alyansang Makabayan (BAYAN) describing the inclusion of former Marcos men in Con-Com as 'outrageous' and demanding that their seats should be given to representatives from more deserving sectors such as farmers and labour. The outrage of the Left was more formally expressed by the National Alliance for Justice, Freedom and Democracy (NAJFD) in its petition to Con-Com seeking the disqualification of former Marcos cabinet minister Blas Ople and his three opposition colleagues. Con-Com rejected the petition arguing that its acceptance would set a 'dangerous precedent' that could 'derail the work of the body' (*Business Day* 4 June 1986).

After easily fending off these early challenges the Con-Com entered a period of calm as it settled down to its appointed task. The calm was, however, disturbing to many delegates who bemoaned public indifference and Con-Com's inability to generate public interest. In an effort to save members from 'speaking before empty galleries' there was a proposal to move the proceedings to the Philippine International Convention Center in Manila to see whether this step might metamorphose Con-Com into a body drawing intense public interest. The move did not eventuate but interest and action did increase as more controversial issues were discussed, as more organizations and individuals lobbied and as public opinion was more actively sought out both in Manila and the provinces by the Con-Com members.

The opposition members were incensed by the proposal that President Aquino and Vice-President Laurel should continue in office for a six-year term until 1992. However, they were easily outnumbered by the other delegates who shared a common platform on this issue despite their ideological differences. Jose Suarez, the nationalist chairman of the Committee on Amendments

and Transitory Provisions, considered Aquino and Laurel as the 'real winners' of the February presidential election. Speaking from the conservative ranks the retired general, Crispino de Castro, bluntly stated that 'the people elected them for six years' while former senator, Ambrosio Padilla, believed that the Aquino government's legitimacy should be recognized because it had already been 'enshrined by people's power' (*Business Day* 23 January 1986). The opposition were joined by other conservatives and even one nationalist in their quest to remove the sequestration powers of the Presidential Commission on Good Government (PCGG). The Chairman of the PCGG, Jovito Salonga, even threatened to resign if Con-Com cut back the PCGG's powers of sequestration. But the *status quo* was maintained after several heated debates and the PCGG was permitted to carry on sequestering. Land reform provided five days of stormy exchanges between Con-Com members. The peasant leader Jaime Tadeo wanted to include in the land reform programme plantations of all types of crops, mineral areas, timber land and fishponds where there were workers. His radical proposals were watered down by numerous amendments in the Committee on Social Justice. In order to avoid major conflict Con-Com passed the agrarian reform buck on to Congress. Con-Com voted a resounding 36-0 in favour of agrarian reform but excluded itself from inking in the details on the grounds of lack of technical knowledge.

While the above matters were controversial and demonstrated wide differences of opinion in Con-Com they paled next to the most divisive issues, the future of the US-military bases on Philippine soil and the permissible level of foreign involvement in the economy. The nationalist cause had been growing in strength at the time of the 1971 constitutional convention and had obviously not faded away since then. The nationalists in Con-Com, numbering between eight and seventeen depending on which journalist or political figure was doing the counting, were vehement in their desire to abrogate the bases treaty with the US. At first they appeared to be succeeding when the Committee on Preamble and National Territory in a 7-2 vote forbade foreign military bases, troops or facilities and nuclear weapons from Philippine national

territory after the expiry of the current agreement in 1991. Strong lobbying from BAYAN, the umbrella organization for over one thousand cause-oriented groups, the radical Partido ng Bayan (PnB) and the Kilusang Mayo Uno (KMU) labour federation plus student demonstrations failed to prevent the eventual conservative triumph. The body of Con-Com voted 29-15 to strike out the clause forbidding foreign military bases leaving open the option to extend the military bases agreement. Encouraged by this success, a group tagged as 'ultraconservatives' and led by Christian Monsod attempted to move for a reconsideration of the nuclear free provision. Their move failed as most Con-Com members mirrored the view increasingly found amongst the urban upper and middle classes that things nuclear were extremely unpleasant and to be avoided.

The question of foreign involvement in the Philippine economy had been discussed throughout the independence period. A nationalist view arguing for a reduced foreign presence in the economy had been gaining ground in the late 1960s and was equally strongly felt in 1986. The political forces of the Left had lobbied Con-Com from its inception on the evils of foreign capital in the Philippine economy. Amongst some businessmen there was also concern that liberalization of the economy could result in greater foreign control and the extinction of the Filipino entrepreneur. Such was the feeling about 'national economy and patrimony' that representatives of management, capital, labour, farmers, consumers and cause-oriented groups got together to form the Coalition for a Constitutional Provision on Industrialization, Economic Protectionism and Filipinization of the Economy. As its name suggests the organization demanded rapid industrialization and protectionism to ensure that local firms and local agriculture would dominate the domestic market.

These were the sort of ideas espoused by the nationalists in Con-Com. They considered that the proposed provisions on the Filipinization of the economy would still allow foreign domination. Thus, after a 25-17 defeat in one session eleven nationalist delegates staged what the newspapers called a 'boycott' or 'walkout'

but what the commissioners involved termed 'a time to reflect'. The commissioners did return and so did dissensions. There were allegations of American interference while a leading nationalist economist publicized the links of certain commissioners with multinational corporations. The Philippine Chamber of Commerce and Industry tried to map out a compromise but still 'heated verbal clashes led to a near pandemonium at the session hall' (*Business Day* 25 August 1986). Six nationalist members walked out claiming that 'the majority using the tyranny of numbers approved with 'undue haste' anti-Filipino and pro-multinational corporations economic provisions' (*Business Day* 27 August 1986). After hearing threats of resignation from these nationalist commissioners, the remaining delegates then decided to relax procedural rules. Further amendments were permitted and five commissioners returned to do battle with the tyranny of numbers. The film director, Lino Brocka, did not return to Con-Com. Eventually after twenty days of 'tumultuous debate' Con-Com approved on second reading the article on national economy and patrimony by a vote of 26-9 with three abstentions. Two of six proposed nationalist amendments were approved. As in seemingly all votes the moderates and conservatives who occupied roughly the same political ground as President Aquino imposed their stamp on the constitution.

Con-Com failed to abide by the ninety-day timetable for drafting set by President Aquino. The workload was simply too much for such a deadline and Con-Com identified 30 September (120 days) as its target date for completion. Even this extension would not suffice despite extra sessions and longer working hours and 15 October was set as a final deadline. Con-Com commenced deliberations on the whole draft of the new constitution on 9 October, the same day as 'five Bacolod residents' filed a petition with the Supreme Court seeking to stop the constitutional plebiscite. Their legal challenge, based on the proposition that with the accession of Aquino the 1935 constitution became operative again, did not impress the justices of the Supreme Court and Con-Com continued with its work.

The draft constitution was given its third and final reading on 12 October. One commissioner was absent through illness from the final vote which went 44-2 in favour of the constitution. Jaime Tadeo and Jose Suarez were the nationalist/Leftist dissenters. Suarez saw many 'infirmities' in the constitution which could bring 'incalculable harm and chaos' to the nation while Tadeo believed the constitution 'did not contain the just ideals and aspirations of our people' (*Business Day* 13 October 1986). Both agreed that the constitution was designed to serve foreign interests. Four other nationalist commissioners, although voting in favour, publicly expressed their reservations about the provisions on national economy and patrimony and on the future of the foreign military bases. Three opposition delegates led by former Marcos cabinet member, Blas Ople, announced their reservations on the constitution because of 'the single reckless act of adjudicating the terms of office of President Aquino' (*ibid.*) and Vice-President Laurel. However, Con-Com president Cecilia Muñoz-Palma probably reflected most members' beliefs in her statement that the draft constitution was 'the embodiment of the aspirations of our people' (*ibid.*). Christian Monsod saw it as a 'panacea for political stability' and President Aquino, while accepting the constitution on 15 October, proclaimed that 'democracy is safe with this constitution'. That clearly indicated Aquino's positive support for Con-Com's final product. Perhaps encouraged by the mood of euphoria a ten-person nationalist bloc issued a signed statement saying that 'the new constitution will bring positive gains to the deepening of democracy making it more participatory and popular' (*Business Day* 16 October 1986).

President Aquino was now well on the way towards establishing political legitimacy via the respected methods of constitutionality and legality. Although the constitution-drafting timetable had fallen behind schedule the work had still been completed rapidly. In less than eight months from her accession to power President Aquino had produced a draft constitution to present to the people for their approval. Also, the public proceedings were seen to have been conducted in a proper manner with minimal external interference and allegations of corruption.

Most importantly, the president appeared to have kept her distance from the constitutional deliberations and thus emphasized the independence of the constitution-drafting body that she had appointed. That Con-Com's final product was to President Aquino's liking was to be expected considering she had appointed a majority of delegates who shared broadly similar views to hers and in accordance with Philippine political tradition she urgently required a constitution to establish legitimacy.

The plebiscite campaign

The drafters had now finished their work and the fate of the constitution would be determined by the Philippine public. According to the 'transitory provisions' the constitution would 'take effect immediately upon its ratification by a majority of the votes cast in a plebiscite' (Con-Com 1986:64). The plebiscite would take place on 2 February 1987 thus giving the voters three and a half months to digest the contents of the constitution and make up their minds on which way to cast their ballot. And there was plenty to digest - approximately 24,000 words spread over sixty-two pages divided into eighteen main articles each of which was broken down into sections. This large constitution attempted to provide a comprehensive coverage and ranged from delineating national boundaries to setting out an economic development strategy, limiting presidential power, decreeing land reform, establishing autonomous regions and prohibiting divorce. The multiplicity of topics covered coupled with ambiguity in language could provide a future interpretative 'feast for lawyers' or as former prime minister, Cesar Virata, remarked 'too many laws passed by the new congress being challenged on constitutional grounds' (*FEER* 29 January 1987). All the electorate was required to do, however, was to answer either 'yes' or 'no' to the one simple question of whether they accepted the constitution - lock, stock and barrel!

The 'yes' campaign commenced with President Aquino's strong endorsement of the constitution at the formal ceremony in which it was handed to her by Con-Com on 15 October. Simultaneously a

new 'political movement' called *Lakas ng Bansa (LABAN)* was formed by cabinet ministers, close relatives and other leading political figures in the Aquino camp to 'support' the candidates of the president in the 1987 elections. This 'movement', later to seek party status, naturally adopted a vigorous pro-constitution stance. In January it became the official co-ordinator of pro-constitution rallies while its close association with the popular president attracted many local politicians. Campaigning for 'yes' under the LABAN banner could be transformed into political capital for the elections later in 1987. Accompanying the LABAN in the pursuit of charter ratification was the Coalition for the Constitution's Approval (CCA) formed early in November and comprising the strongly pro-Aquino Philippine Democratic Party-Lakas ng Bayan combination (PDP-Laban) and *Bansang Nagkaisa sa Diwa at Layunin (Bandila)* in league with the Salonga wing of the Liberal Party, the National Union of Christian Democrats (NUCD) and the *Partido Demokratiko Sosyalista ng Pilipinas (PDSP)*. The Roman Catholic Church officially endorsed the new constitution when the Catholic Bishops Conference of the Philippines (CBCP) issued a pastoral letter on 26 November. The letter urged Roman Catholics to vote for the ratification of the charter and noted that its contents were 'consistent with the teachings of the gospel' (*FEER* 15 January 1987). The National Council of Churches in the Philippines (NCCP) followed suit. Some, mainly those from the 'no' side, were unhappy about the level and nature of religious involvement, probably because the church carried such influence and because the pulpit was being used in a political campaign. The Federation of Free Farmers, for example, suggested that 'the Catholic bishops stick to enlightening people on moral aspects of the constitution and leave people alone to make political judgements on whether to ratify or reject it' (*Business Day* 20 November 1986). The Catholic hierarchy was unimpressed by such outbursts and continued with their pro-charter stance.

A host of organizations of varying degrees of formality, size and purpose joined the chorus advocating a 'yes' vote. Quite what impact or influence such organizations had is difficult to say but they were both numerous and rarely backward in coming forward to publicize the merits of the constitution. Some were convened

specifically for the plebiscite such as the Citizens for Constitutional Democracy (CCD) and the Abantikita Movement. Many were backed by the church, such as the Families for Justice and Peace, the Christian Social Movement (CSM) and the Sanggunian ng Kristianong Komunidad, or were actual medical and educational institutions of the church. Others represented occupational groups and labour unions or women's and youth groups. Regionally-based organizations joined the fray while one expatriate body - Filipinos Overseas for the Ratification of the Constitution (FORCES) - urged Filipinos in North America and Europe to contact their family and friends at home to encourage them to vote 'yes'.

Aquino's major partner in government, the United Nationalist Democratic Organization (UNIDO), was not so enthusiastic in its support for the draft constitution. Soon after it had been released to the public, Salvador Laurel, president of UNIDO and vice-president of the Philippines expressed his concern that 'questions are being raised about the legitimacy of our [Laurel's and Aquino's] offices and casting doubt on our having been elected in the first place' (*Business Day* 30 October 1986). He recommended that the matter be cleared up by making his and Aquino's terms of office subject to a separate question in the plebiscite. In the event of a 'no' vote Laurel suggested that people should indicate a preference for either the 1935 or 1973 constitutions and whether an election for president and vice-president should be held in May. President Aquino quickly rejected these proposals although they were not dropped by UNIDO. The 'yes with reservations' attitude was maintained and the party even pointed out a few further arguments against the constitution. But on balance, UNIDO thought that 'the pros outweigh the cons' and that in order to 'accelerate political stabilization' the ratification of the constitution was 'a *conditio sine qua non*' (*Malaya* 28 January 1987).

Officialdom was also harnessed, as far as possible, to work for the 'yes' vote. On 28 October, in order to give the green light to the involvement in the plebiscite campaigns of local level officials and employees in government bureaucracies, justice minister Neptali Gonzales ruled that participation in such activity was not a partisan

political activity. As these people were unlikely, in the interests of job security, to mount voluble attacks on their employers, Gonzales's ruling served mainly to aid the 'yes' campaign. The local government minister, Aquilino Pimentel, was more forthright and less legalistic in his approach. He let it be known that 'harsh measures and sanctions' would be visited upon those officers-in-charge at the local level who did not actively campaign for ratification. Meanwhile, Con-Com had been transformed from a drafting body into an organization devoted to the promotion of the 'yes' vote. In accordance with *Executive Order 48* the members of Con-Com were to take the lead in the educational campaign for ratification. Thus, on 21 October, thirty-one members of Con-Com met to organize themselves and design their educational strategy.

The trump card in the 'yes' campaign was of course President Aquino. She had given her unequivocal support to the draft constitution and now set about actively promoting it. In addition to the normal diet of media appearances and press releases, Aquino travelled the length and breadth of the nation addressing extremely well-attended public meetings. Her successful performances and obvious crowd-pulling power earned the ire of the opposition, one of whose members claimed, with some justification, that the poll was an 'opponent-less,' presidential campaign masquerading as a plebiscite' (*FEER* 29 January 1987). The popular campaign slogan 'Yes to Cory, Yes to Country, Yes to Democracy and Yes to the Constitution' put Aquino first and seemed to mention the constitution almost as an afterthought. The tactic of announcing budgetary increases for regions at meetings in those regions was deemed by the president to be a token of gratitude to the people from the government rather than a vote-buying exercise (*Business Day* 12 January 1987) while in explaining her campaign style Aquino stated that 'I believe I should disclose what government is doing for the people's welfare' (*Business Day* 20 January 1987). Whether intentionally or not, Aquino had transformed the plebiscite campaign from a debate about the issues raised in the draft constitution to the matter of her regime's popularity. The ballot was coming to look less like an objective assessment by voters of the constitution's merits and more like a

vote of confidence in Aquino and her government. A positive vote of confidence would of course satisfy the Aquino regime's claim to legitimacy and, the regime would argue, promote political stability.

The opposition to the constitution's ratification comprised some strange ideological bedfellows whose campaigns were marked by disorganization and indecision. Marcos's old political creation, the Kilusang Bagong Lipunan (KBL), led the Right's rejection campaign. Even before the draft constitution had been handed to the president the KBL described it as 'patently defective, fatally flawed and lacking a solid and central framework' (*Business Day* 14 October 1986). The KBL spokesmen maintained a steady stream of anti-constitution invective throughout the campaign, attempting to portray themselves as the guardians of democracy and defenders of the poor. Leading Marcos supporter and former Batasang Pambansa speaker, Nicanor Yñiguez, led the charge alleging that the charter was formulated 'by cronies appointed by a regime characterized by hate, vengeance and vindictiveness, and does not reflect the true feelings and aspirations of the people' (*Business Day* 27 November 1986). He cited 'sixteen inherently defective, contradictory and therefore objectionable provisions' which should lead to the constitution's rejection. The issue of Aquino's term of office was the one which caused greatest annoyance to the KBL as it did the rest of the opposition Right. The KBL painted themselves as staunch nationalists waging war on a government which promoted foreign interests through a constitution which was 'anti-Filipino, anti-Philippines and anti-poor' (*Malaya* 28 January 1987).

Although the KBL was reported to be co-ordinating the political Right's opposition to the charter, co-ordination of effort was not a marked feature of this 'no' campaign. Even by the second week of January the various opposition parties of the Right were still unable to form a grand coalition for 'no'. Some groups could not agree on common strategies, the KBL was disconcerted by defections of prominent personnel to the Aquino camp (for example, former assemblyman Alejandro Almedras of Davao and former Metro Manila vice-governor Mathay) while the positions of a few potential political allies were still unclear (for example, the Partido

Nacionalista). Eventually, on 14 January, less than three weeks from polling day the Coalition for Democratic Action (CODA) was formed 'for the purpose of jointly and collectively undertaking a systematic and concerted action to restore the rule of law, the supremacy of democratic institutions over individual political groups or persons and a legitimate popularly supported, and just constitutional order' (*Business Day* 15 January 1987). This charter rejection group claimed to include the KBL, Nacionalista Party (Palmares wing), Liberal Party (Kalaw wing), the Democratic Socialist Party, the Mindanao Alliance, the Pusyon Bisaya and Timawa, another Visayan group of disgruntled former Marcos men (*Manila Bulletin* 15 January 1987). Attending the foundation meeting and signing the manifesto were Juan Ponce Enrile, former Marcos and Aquino cabinet member, and Arturo Tolentino, Marcos's vice-presidential running-mate in 1986. Neither claimed a party allegiance although both had been active on the 'no' campaign trail.

Whether the formation of CODA had any effect on the co-ordination of the opposition's 'no' campaign is difficult to say. Leading spokesmen for the various groups maintained a steady output of anti-constitution rhetoric. Enrile assumed the de facto leadership of the 'no' campaign, travelling widely and speaking forthrightly. Tolentino warned all that 'approval will legitimize all dictatorial, illegal and inimical acts of President Corazon C. Aquino' (*Business Day* 30 December 1986). He too maintained a high profile and between speaking and debating even found time to furnish the *Manila Bulletin* (15-17 January 1987) with a detailed critical analysis of the constitution. He also indicated that he would vote 'yes' if the provision on the president's tenure were removed (*Daily Express* 22 January 1987).

The difficulties of the political Right in adopting a co-ordinated and coherent strategy towards the plebiscite were minor compared to those of the Left. As early as mid-June militant leaders were reported to be 'planning strategies for waging a massive campaign against the ratification of the new charter in the event that the nationalist provisions are not incorporated' (*Business Day* 14 June 1986). The National Democratic Front (NDF), the front organization

representing the Communist Party of the Philippines (CPP), the New People's Army (NPA) and several lesser left-wing groups found the draft constitution unpalatable. However, it was reported that the NDF's rejection of the charter was less to do with nationalist provisions than 'because the CPP, being an outlawed organization, was outside of the constitutional process' (*The Manila Chronicle* 24 January 1987). It was also alleged that the NDF 'no' was not of the emphatic variety and that in practice the constituent groups and their members were being given a free hand on which way they voted in the plebiscite (*ibid.*). This 'conscience vote' would not appear to have been endorsed by the CPP who described the constitution as 'pro-imperialist and anti-people a piece of bourgeois superstructure reflecting dominant-class interests' (*FEER* 29 January 1987). Despite this ideological castigation of the constitution and only two weeks before the vote, Antonio Zumel, an NDF representative, announced that the NDF position on the plebiscite would be issued 'right before' the vote. On 30 January the NDF peace negotiators gave a press conference in which they stated that the NPA and other rebel groups would vote against the charter (*The Manila Times* 31 January 1987).

The Partido ng Bayan (PnB), formed in May 1986 to 'spearhead' the electoral challenge of the Left, followed the charter's public release with a statement that it would campaign against the constitution (*Business Day* 20 October 1986). By early November the PnB had supposedly softened its position and was advising a 'critical yes' - a 'yes' vote for the constitution despite its shortcomings. According to others of this persuasion on the Left, the 'critical yes' had to be distinguished from the full-blooded unconditional 'yes na yes'. In addition to being a campaign for a 'yes' vote the 'critical yes' approach was also 'an educational process aimed at explaining both positive and negative features of the draft charter' (*Philippine Collegian* 22 January 1987). The PnB decided to develop the 'critical' element of its 'critical yes' stance by writing to the president in January requesting the suspension of objectionable charter provisions. As an alternative the PnB suggested the deferral of the plebiscite until a negotiated settlement had been reached with both Muslim and communist

rebels. Its final option was to immediately convene a 'political consultative conference' which together with Con-Com would form a 'constituent assembly' to draft an entirely new constitution (*Business Day* 16 January 1987). The PnB received a negative response from Malacañang Palace as did Moro National Liberation Front (MNLF) leader Nur Misuari who demanded the suspension of the provisions on autonomy.

BAYAN, the umbrella organization which claimed to represent over one thousand cause-oriented groups, selected the 'conscience vote' as its plebiscite strategy. Thus, in November, BAYAN announced to the press that 'they would educate the people on the virtues and shortcomings, mostly shortcomings, of the draft Charter and let the individual vote as he thinks is right' (*The Manila Chronicle* 28 January 1987). Not so the militant labour federation, the Kilusang Mayo Uno (KMU) which, even before the charter's release, warned that it might advocate a 'no' vote because of anti-labour provisions. At its national congress on 21 December it was decided to launch a 'vigorous' campaign for rejection as the constitution was 'pro-imperialist' and 'does not respond to the basic interests of the people' (*Business Day* 23 December 1986). Its peasant counterpart, the Kilusang Magbubukid ng Pilipinas (KMP), followed a similar course. This was to be expected as its president was Jaime Tadeo, one of the two Con-Com members who voted against the draft constitution. Both KMU and KMP appeared to hold to their 'no' position and were classified as such by the *Philippine Daily Inquirer* (30 January 1987) immediately before the plebiscite. Yet solidarity may not have been universal. As certain KMU affiliates were reported to favour a 'yes' vote (*FEER* 5 February 1987) the commitment of the KMP to the 'no' cause was questioned (*The Manila Chronicle* 2 January 1987), and despite issuing a statement highly critical of the charter on the eve of the plebiscite the statement contained no outright call to vote 'no' (*Malaya* 28 January 1987).

Several generalizations can be made from observations on the plebiscite campaigns. First, none of the protagonists waged a well-managed and efficient operation. It is more pertinent to speak of

degrees of disorganization. The government-orchestrated 'yes' campaign appeared to be the best-run but even this was classified as having 'organizational machinery' that 'remains disorganized' and campaign themes that were 'inchoate' (*The Manila Chronicle* 24 January 1987). Second, the campaigns often had little to do with detailed analysis, or any analysis, of the charter. On the 'yes' side, typified by the LABAN and the CCA and led by the president herself, the poll was about an affirmation of her regime's legitimacy in a legal exercise. People were basically being asked to confirm that Corazon Aquino was the rightful president. The charter was identified with her so that voting for the charter was also voting for Cory. It was also promised that stability would result from the 'yes' vote. While the opposition on the Right paid more attention to the provisions of the constitution their major target in the 'no' campaign appeared to be the unseating of Aquino and the calling of a presidential election. They wanted to establish the illegitimacy of the Aquino regime. Only the Left seemed to maintain focus on the constitution itself but even then it was a restricted range of provisions which they discussed. Indecision about where they stood was a marked feature of the Left's performance. Previous strategic mistakes of the Left in the presidential election and revolution may have contributed to the indecision while lining up with the Right to advocate 'no' may not have been to the liking of many.

A third feature of the plebiscite campaign was the reluctance of local elites - present, former or aspiring - to campaign too vigorously for the 'no' vote. A successful 'no' vote would postpone both national and local elections, a situation many, both in and out of office, deemed undesirable. The constitution was the legal requirement for the main political event - the elections. The political culture demanded a constitution for elections which would select legitimate officeholders. Campaigning for 'no' involved personal expenditures yet promised no rewards if successful. Local elites had no tradition of investing purely in principles. More concrete returns were expected but without the legal-constitutional prerequisite such returns were unavailable. A muted 'no' campaign thus characterized many areas and despite the much-publicized

rhetoric of 'no' leaders in Manila some of their provincial affiliates and also metropolitan associates kept relatively low profiles or even changed to the Aquino camp where the political future seemed brighter.

A fourth issue concerns the general level of knowledge of the constitution in the community. From circumstantial evidence and my own experience I would suggest that knowledge of the provisions of the constitution was low. Very few actually read the document. This would include many aspirants to public office, especially at the local level. How many actually saw the document is a moot point. Certainly there were educational campaigns, but to how many people did these actually extend? The media did cover the constitution but how many people actually had access to newspapers and read the appropriate items and how many turned off their televisions when another plebiscite debate came on the air? How many people knew two or three provisions but no more? Because the plebiscite had been transformed into something beyond a verdict on Con-Com's work, detailed knowledge of their product was unnecessary. The vote was about Aquino's legitimacy and the desire of local leaders to engage in electoral combat. The 'yes' camp attached the spectre of instability to the possibility of a 'no' win. There would be instability because the necessary constitutional and legal provisions for a legitimate government would be lacking. Democracy would be under threat without a constitution. In such a political climate, a comprehensive knowledge of the constitution and an informed assessment of its provisions were hardly essentials for the poll.

The plebiscite campaigns did not take place in a vacuum. Preparing for the constitutional poll was not the only major event occurring in the Philippines between October 1986 and February 1987. Much was happening besides and was frequently of such importance as to remove the plebiscite campaigns from the top of the political agenda and relegate them to the inside pages with fewer column inches. But these events did have a bearing on the plebiscite outcome as they were invariably interpreted in terms of the effect on regime stability - and stability was a principal issue in

the February poll. The effect of current events on public opinion was differentially felt throughout the Philippines and what may have been viewed from Manila as highly destabilizing may not have had such an impact in other places. This would be the case especially in those areas where the campaigns were low-key and local elites were preoccupied with pursuing strategies which could produce electoral success for themselves.

In late October bombs started exploding in Manila indicating that somebody was out to aggravate tension during the plebiscite campaign. Further aggravation came rapidly with the brutal murder of the KMU and PnB leader, Rolando Olalia, in Manila on 15 November. This sent Left leaders back underground and caused the withdrawal of the NDF from peace negotiations with the government. Although industrial action by the KMU disappointed the organizers, an estimated 300,000 people did turn out to Olalia's funeral indicating his popularity and the level of public outrage at his murder. More killings followed. On 19 November David Puzon, a politician close to Enrile, and two other men were gunned down in Manila in what was seen to be a reprisal for Olalia's murder. Three days later Ulama Tugung, chairman of western Mindanao's autonomous government, was also gunned down in Manila, an event which sent shockwaves through the violent and volatile region he represented. Kidnapping also became popular. On 24 October two South Korean engineers were abducted in northern Luzon while in early November a similar fate befell a Thai national working for the Asian Development Bank. Of greater political impact was the 15 November kidnapping of the Japanese general manager of the Mitsui company. It was interpreted in some quarters as putting into jeopardy future Japanese aid and investment.

Meanwhile November was a month of military coup rumours. It was on the strength of these rumours that, on 23 November, Aquino sacked her increasingly critical defence minister, Juan Ponce Enrile. The government alleged that Enrile had tacitly supported moves by military dissidents from the Reform the Armed Forces of the Philippines Movement (RAM) to reconvene the

old national assembly. While coups were forestalled, the military hierarchy did demonstrate its intention of exercising influence over government. On 15 November, General Fidel Ramos and other senior generals sent the president a memorandum containing a list of proposals on a range of both military and civilian issues. Cabinet was, by this stage, known to contain 'voluble disagreements' on a range of matters while tales of corruption, nepotism and administrative inefficiency were circulating far and wide. Two more cabinet ministers followed Enrile through the exit door in November, one was reshuffled in December and another departed in early January. The US embassy and the State Department were reported to be concerned about the deterioration of events in the Philippines. The country and the regime appeared to be increasingly unstable and out of the president's control.

The last days of November brought relief to the beleaguered government when Aquino, rather than dissident soldiers, pulled off a coup. A ceasefire agreement was signed between the government and the NDF negotiating panel who were acting on behalf of the guerillas of the NPA. The agreement was to come into force on 10 December and last, in the first instance, for a period of sixty days. More good news came on 4 January when a Mindanao autonomy agreement was signed in Jeddah by Aquilino Pimentel for the government and Nur Misuari for the MNLF. The MNLF had at last dropped its demand for full independence.

But destabilization was soon back to the fore. In mid-January another Muslim rebel group commenced a new and vigorous programme of violence in Mindanao. Then on 22 January, more than twenty people were killed and many injured when marines opened fire on a KMP peasant march in Manila. The Mendiola massacre, as it was dubbed by the media, was potentially enormously damaging to the regime. The 'yes' campaign was identified as a vote for Aquino and her government, the very government some were now portraying as being directly responsible for this massacre. Political commentators began wondering whether the 'no' vote could perhaps win. They certainly saw it gaining strength. The Mendiola massacre was still the

leading issue when on 27 January up to 500 troops attacked military and civilian targets in the Manila area. Rebels at the two air bases were quickly overcome but those occupying a television station held out for several days before a negotiated surrender was arranged. During the coup, rumours of Marcos's imminent return abounded and evidence was produced to show that the rumours did have a solid basis in fact. As a final touch of pre-plebiscite destabilization, opposition politician Homobono Adaza released a tape-recording of an alleged telephone conversation featuring the president, her secretary and a special counsel. The conversation was intended to show that Malacañang and the American government had attempted to influence the decisions of Con-Com. The only question that now remained was whether the course of destabilizing events would persuade the majority to vote 'no' and so cast doubt on the legitimacy of Aquino and her government.

The Poll

The 1935 constitution provided for a Commission on Elections (Comelec) to enforce and administer the laws pertaining to elections. Although one author described its position as 'like that of a muzzled bulldog' (Kiunisala 1969:76), prior to martial law it had generally been seen as one of the components of the electoral system which served as 'countervailing forces to electoral manipulation' (Carbonell and Nicolas 1986:57). Following the imposition of martial law in 1972 Comelec was awarded wider powers and was transformed into a partisan body directly under presidential control. Its claim to impartiality was already weak, both at home and abroad, when the 1986 presidential elections were called. The blatant manipulation on a massive scale which Comelec then attempted to perpetrate in order to secure a Marcos win removed any lingering doubts about Comelec's partisanship and subservience to the will of President Marcos.

President Aquino did not dispense with the institution of Comelec but opted for its 'revamp'. Ramon Felipe was appointed chairman and five new commissioners were chosen. Other officials

and personnel were scrutinized and removed where necessary so that by the end of June Felipe was able to announce to the president that the 'revamp' was complete. The next task was to organize the registration of voters. This job was necessitated by the unreliability of voter lists from the Marcos era. Illegal registrations abounded. To illustrate the point one commissioner cited the case of a single Danao City voter registered 360 times and observed that in Sulu and Tawi-Tawi 'even turtles have been able to vote' (*Business Day* 16 September 1987). In December, Comelec carried out an orderly registration programme in which 25,030,471 voters enlisted. This was 95 per cent of the registered voters for the 1986 presidential election. All regions showed decreases in the number of registered voters, especially Ilocos, Cagayan Valley and Central Mindanao, all centres of strength for the Marcos administration. Over one million residents of 'ghost barangays' (non-existent villages) and 'flying voters' (individuals with multiple registrations) were removed from the electoral rolls. Ballot papers were printed and an army of 270,000 public school teachers was recruited to man the 86,505 electoral precincts. The formation of Comelec special action teams was then announced. These teams were invested with the power to arrest persons violating the election laws. The chairman of Comelec declared that everything was ready and that 'only a full-scale revolution ... will stop us from proceeding with the plebiscite as originally scheduled' (*Business Day* 28 January 1987).

Three bombs exploded in Manila and another in Cotabato on the eve of the plebiscite but there was no revolution. Thus, the plebiscite of 2 February 1987 did proceed as scheduled with both 'yes' and 'no' camps claiming that victory would be theirs. A massive 88 per cent of the registered voters turned out throughout the country to express their decision on the future of the constitution. Even in NPA strongholds, Left-dominated enclaves and in revolutionary Muslim areas the people flocked to the polls. In contrast to the previous year's presidential elections there were few reports of violent incidents or allegations of irregularity. The Comelec chairman described the plebiscite as 'abnormally peaceful' while other commentators judged it to be 'the calmest and cleanest

electoral exercise since 1952' (*FEER* 12 February 1987) or 'a refreshingly boring election' (*Business Day* 4 February 1987). The president was delighted and noted that it was 'heartening that voting for the plebiscite has been clean, honest, orderly and exceptionally heavy' (*Business Day* 3 February 1987). In these circumstances a 'yes' win would furnish an emphatic legitimation of both the president and the political system she so vigorously endorsed.

Her delight must have changed to ecstasy when the counting started. At 10 p.m. on the day of the plebiscite the National Citizens Movement for Free Elections (Namfrel) reported that 'yes' formed 77 per cent of the first million votes. Its 'quick count' continued apace and by 6.30 p.m. on the following day with over 10 million votes (over 40 per cent of the total poll) counted the 'yes' vote had secured 79 per cent. At this juncture (4 February) Comelec commenced the official count. But as the Comelec chairman said 'it's all over but the counting' (*The Manila Chronicle* 5 February 1987). Namfrel was ceasing its 'quick count' with 70 per cent of registered votes tabulated showing 78 per cent supporting 'yes'. All knew who had won and by how much.

On 7 February with less than half a million votes to be counted the Comelec Chairman, Ramon Felipe, officially proclaimed the 'yes' victory. The 'official canvass' recorded 76 per cent 'yes' and 23 per cent as 'no'. For 'yes' were 16,605,398 and for 'no' 4,949,501. In six regions 'yes' had obtained over 80 per cent of the vote while in all other regions but two, 'yes' had gained at least 73 per cent (see Table 2.1).

The two odd men out were the Ilocos and Cagayan Valley. The Ilocos was the home and stronghold of former president Marcos while the Cagayan Valley was the power-base of the former defence minister Enrile and had a heavy representation of Ilocanos, the ethno-linguistic group of both Marcos and Enrile. In the Ilocos, 'no' was in the majority with 52 per cent of the vote - in Marcos's province of Ilocos Norte, the 'no' vote was 85 per cent.

Table 2.1

**Official Comelec Returns at Close of Canvassing (4.35 p.m.,
7 February 1987) for the Constitutional Plebiscite**

Region	Yes		No	
	Number	Per cent	Number	Per cent
Metro Manila	2,917,104	77.4	849,407	22.6
1. Ilocos	779,237	47.9	848,237	52.1
2. Cagayan Valley	421,486	46.7	481,781	53.3
3. Central Luzon	1,870,425	81.3	429,570	18.7
4. Southern Tagalog	2,390,096	82.9	492,271	17.1
5. Bicol	1,116,122	86.3	177,861	13.7
6. Western Visayas	1,611,547	86.4	253,019	13.6
7. Central Visayas	1,473,958	83.9	281,598	16.1
8. Eastern Visayas	732,250	73.0	270,571	27.0
9. Western Mindanao	496,330	84.2	79,075	15.8
10. Northern Mindanao	970,971	77.6	280,028	22.4
11. Southern Mindanao	1,161,509	79.5	298,926	20.5
12. Central Mindanao	664,363	76.2	207,557	23.8
NATIONAL TOTAL	16 605,398	76.3	4 949,901	22.7

In the Cagayan Valley, 'no' also won with a 53.3 per cent vote. Elsewhere, with the possible exception of Danao City in Cebu, former Marcos strongmen could not hold back the 'yes' tide. The revolutionary Left shared a similar experience with centres of NPA strength, such as the Bicol, recording resounding 'yes' victories. Many of the NDF's claimed eleven million supporters must have voted 'yes'. The armed forces did not display such enthusiasm for the constitution. Returns from precincts which included armed forces camps showed strong 'no' votes. Although it was claimed that 61 per cent of Manila's military personnel opted for 'yes' it was also disclosed that 'no' was the winner at Camp Aguinaldo and Villamor Air Base and had been pipped at the post at Camp Crame (*Business Day* 4 February 1987).

The opposition to Aquino made some ritual denunciations of the poll as being 'rigged' and 'manipulated'. Marcos chipped in from Hawaii with his opinion that the plebiscite was 'rife with fraud ... one of the final blows that would completely extinguish democracy' (*ibid.*). Nobody appeared particularly interested in these outbursts. Of greater importance were the conciliatory statements of Enrile, the *de facto* leader of the opposition Right. He announced the Right's acceptance of the plebiscite result. Other opposition leaders conceded to 'the will of the people' without a murmur, their thoughts already on the elections later that year. The KBL even declared its intention of being a 'constructive opposition'. Meanwhile the radical Left issued denunciations of the constitution alleging that it was pro-imperialist, pro-elite and contained only superficial reforms. The NDF noted that its programme was supported by 'considerable sections of the population'. As many of this same population must have voted 'yes' the electorate could not be harshly criticized. But the criticisms of the constitution were familiar fare and somewhat late in the day. It was obviously time to reconsider strategy. Aquino had no such worries and on 11 February in the ceremonial hall at Malacañang Palace 'promulgated a new Constitution that ends her near dictatorial rule and restores the country to full democracy' (*Business Day* 12 February 1987).

Conclusion

With her overwhelming plebiscite victory, President Aquino, had, in less than one year, succeeded in her quest for legitimacy. Commentators and politicians had constantly referred to the plebiscite as a legitimating exercise. But what was it and/or who was it that had been legitimated? And what does such legitimation entail?

Aquino had claimed legitimacy from the outset. This claim to being the rightful president and chief power-holder in the land was based on one or more of the following elements - electoral victory, popular sentiment, military force, elite support and divine

intervention. But these elements which had swept her to power were obviously not perceived by Aquino and other elite groups as sufficient justification for remaining in power. Had she really won the presidential election? Did 'people power' extend beyond the boundaries of Metro Manila? Did the military's role in placing her in power invalidate her democratic credentials? These were the sort of questions which Aquino would have been asking herself and which the elite would certainly ask sooner or later. Thus, it was necessary for Aquino to secure acceptance of her claim to legitimacy. Given her commitment to some conception of liberal democracy it was inevitable that 'the people' would be requested to grant her claim to legitimacy. But it was also predictable that the path to legitimacy would involve those twin pillars of Philippine political culture, constitutionality and legality. These were traditions handed down since the late nineteenth century and could not be ignored by Aquino. Indeed, she fully endorsed them. Elites, especially of the political variety, had been responsible for the handing down of the traditions and for communicating their virtues to the wider society. Whether the wider society has benefitted from the traditions is open to question. Using both moral and empirical grounds it could be argued with justification that the attachment to constitutionality and legality was created by elites to maintain their own power and the privileges of the social classes to which they belonged. They had been used to further individual rights rather than to promote the socioeconomic and political welfare of the majority. Despite their lofty sentiments, constitutions could be manipulated to defend the *status quo*.

The necessity of drafting a constitution and asking for its popular approval provided Aquino with the opportunity of legitimating both herself and the system of government and power-holding described in the constitution. The latter was of secondary importance in the plebiscite campaign. The major concern was to secure majority acceptance of Aquino's claim to power. The claim occupied only three lines of the constitution (Article XVIII, Section 5) but it commanded most attention. The massive winning margin in the plebiscite granted Aquino the dual legitimation which she desired. Although the constitution falls into Weber's rational-legal

mode of legitimation the plebiscite was won on various grounds. Aquino's charisma was of vital importance as was the symbolic importance of constitutions. In accordance with Skocpol's (1979:31-32) general observation, the support of large sections of national and local elites was also necessary in securing the votes. Many of these persons were more concerned with contesting the elections which would come with the legitimation of the constitution. Their devotion to constitutions was pragmatic. This does not contradict the fact that constitutions are a powerful symbol of political legitimacy in Philippine political culture. Rather it emphasizes the fact that constitutions are deemed essential for legitimate political life in the Philippines. Regimes are simply illegitimate without them.

The threatening spectre of instability was effectively employed to facilitate constitutional approval. Aquino's campaign stressed that political instability would result if the constitution was not approved. Her campaign spokesmen argued that a 'no' vote would produce dire consequences. The nation would be afflicted with interminable political conflict, declining living standards and many other unpleasant illnesses. Stability was essential for national progress, Aquino claimed, and such stability could be secured only by voting for the constitution. Once again, political tradition was on Aquino's side. A longstanding and widely held view was that stability automatically follows from a legitimate government, and a legitimate government is one which is constitutional and legal. Evidence suggesting that governments might be stable but of dubious legitimacy was not considered. Taking this line of thought further the electorate was voting on Aquino's promise to provide stability. Legitimacy was thus based on the acceptance of the presidential promise to solve the problem of political instability. The electorate reacted to the destabilizing events leading up to the plebiscite with an overwhelming vote for 'yes'. People chose not to believe that events were beyond Aquino's control but expressed faith in the ability of Aquino and the constitution to promote stability. The spectre of instability banished by the promises of Aquino were potent symbols and highly effective electoral weapons. Foreign governments, especially the US and ASEAN

countries, also disliked the idea of instability and wished to see the legal and constitutional legitimation of the regime which they had already recognized. Thus, 'extra-national elements' anxious to promote stability lent their support to the legitimation of Aquino and the constitution. In certain cases their commitment was to the stability which legitimacy might encourage rather than to legitimacy *per se*.

This leads to the question of whether the current legitimacy of Aquino and the institutions created by the constitution will endure and bring stability. In the euphoria surrounding the 'yes' victory it seemed to be forgotten that the framing and endorsement of a constitution cannot singlehandedly ensure a vital constitutional democracy. President Marcos had demonstrated that such a mode of government could be overthrown in the Philippines while numerous examples of such regime changes have been seen in the post-war world. At least in the short term Aquino and her government seem secure. The size of her plebiscite triumph was a timely reminder to her enemies of her enormous popularity. To attempt to usurp such popularity would be foolhardy especially as the people had demonstrated their capacity to mobilize in huge numbers to support Aquino during the February revolution. They had also turned out in force for Aquino since then. In his analysis of Brazil, Stepan (1971:79-84) found that the smaller a regime's electoral victory, the more likely it was to be overthrown. Needler (1977:115-116) followed this with the generalization that in Latin America 'the narrowness of an electoral victory seems to impair a government's legitimacy, thus making a military coup against it more likely'. In the Philippines, Aquino's electoral victory was overwhelming thus removing any doubts about her legitimacy or that of the constitution she endorsed.

But the Armed Forces of the Philippines (AFP) do remain a threat to Aquino and to constitutional democracy. Sections of this large military machine do not regard the current regime as legitimate or simply do not approve of it. Their criteria for judging legitimacy are obviously different from the masses who voted 'yes' in the plebiscite. The AFP have ceased to be under civilian control

as they were before martial law. They have become politicized in the sense that they believe the military should participate in the running of the country, that the AFP should make policy and administrative inputs in areas which have previously been regarded as under civilian control. This situation produces tension between military and civilian authorities. Occasional but frequent coup attempts during Aquino's first year of office emphasize the volatility of the military and the willingness of sections of the AFP to mount armed challenges to legitimate authority. For civilian authorities it is fortunate that the AFP is so riven with factionalism and unofficial command systems that nobody is really in control. What is referred to as 'professionalism' is seen to be lacking. However, if the AFP is made more professional and if factionalism subsides as a result then the 300,000 personnel who make up the coercive forces of the state could be a distinct threat to that state. Even now they are a threat as they continue in their efforts to push for greater involvement in civilian affairs. If one faction, hostile to Aquino, can secure ascendancy in the AFP then the regime will face a crisis.

The AFP or elements of it may not consider a concerted move against the government until its legitimacy has been queried by elites, other strategic groups and even the population at large. To forestall such possibilities the Aquino government must succeed in a non-Weberian mode of legitimation, that of socioeconomic performance. This performance legitimation is generally seen as the most important basis of legitimation in communist and other authoritarian regimes (White 1986; Liddle 1985). It should also become extremely important in the constitutional democratic environment of the Philippines. A major factor contributing to Marcos's downfall was the dreadful socioeconomic performance of his regime in the 1980s. Rising unemployment and declining living standards for the majority of Filipinos were particularly significant as these are the items which directly affect people and help to determine their attitudes and actions towards a regime. The people now expect Aquino and her government to reverse this trend of socioeconomic decline. They have to face a more politicized population which has been granted the democratic space to press

its demands and are doing just that. The people want material rewards and improved welfare and the new government is supposed to provide it.

The growing importance of performance legitimation does not entail the eclipse of other modes of legitimation. Aquino's popularity is still enormous as witnessed by the resounding victory of 'her candidates' in the senatorial and congressional elections of May 1987. If socioeconomic performance remains lacklustre then this popularity will certainly decline. It will not make her illegitimate. The Filipino attachment to constitutionality and legality as vital legitimating mechanisms will guarantee that. Also, the faith in democratic processes, even if some or all are typically ritualized, will function as an important source of legitimacy. Even if the democratic institutions are judged imperfect they may still be deemed lawful and moral enough to be legitimate - perhaps 'tenable' is a more appropriate description. But poor socioeconomic performance and unsatisfactory policy-making in Congress and Senate could intensify political conflict and even boost communist insurgency. The military might then seize power on the grounds of national security and the need of strong central direction to extricate the country from its current crisis. Paradoxically, poor performance would also suit the NDF as it would demonstrate the impossibility of socioeconomic development for the benefit of the masses under a system of bourgeois democracy. Disillusionment among the masses would then lead to growth in NDF support.

At present the Philippines has a legitimate president and set of governmental institutions. There can be no doubt about that. An overwhelming endorsement of the two came in the plebiscite of February 1987. Although a rational-legal constitution provides the centrepiece for legitimation, tradition, charisma and symbolism have also played their part in the legitimation process. A further type of legitimation, that of socioeconomic performance, will become more important. If performance is poor then the regime could expect a challenge for power from a politically ambitious military. Current regime popularity and divisive factionalism have prevented hostile elements in the military from making concerted

moves for seizing power. But these conditions could change. And as Marcos demonstrated in 1972 legitimate regimes can be overthrown in the Philippines. Constitutional democracy is not guaranteed simply because a regime is legitimate. But a popular regime is difficult to displace. And Aquino's popularity will remain high if she can preside over improvements in the welfare of the majority of Filipinos. Performance legitimation could then be added to the other modes of legitimation which support President Aquino and her government.

CHAPTER 3

WOMEN, WOMEN'S ISSUES AND THE 1987 CONSTITUTION IN THE PHILIPPINES

Marian Simms

Women, women's organizations and women's issues were important in, and at times central to, the whole process of constitution-making in the Philippines during 1986. Women were six of the forty-eight members of the Constitutional Commission (Con-Com), which was appointed by President Corazon Aquino in May 1986 to draft the new constitution of the Philippines. It was a woman, Cecilia Muñoz-Palma, a former justice of the Supreme Court of the Philippines, who was elected as Con-Com chairman by the other commissioners. The actions, ideas and values of the key women protagonists and organizations involved in the making of the new constitution are illustrative of broader factors and processes at work in the politics of the Aquino administration. In this paper the role of women and women's issues in the evolution and drafting of the 1987 constitution are considered as a chapter in the history of women and politics in the Philippines.

Women and politics in the Philippines

Women were granted the suffrage in 1933 and they first voted in 1937. Voting is theoretically voluntary in the Philippines and women's turn-out rates have on average been about the same as men (NCRFW 1985). Women have fared better in the judiciary and in the upper echelons of the bureaucracy than they have in elective office or in cabinet (Tapales 1984). Women have had poor representation in both the latter areas.

Filipino women have long been active in a range of women's organizations. The first feminist group was set up in 1905 and was influenced by the American model. After the Second World War

the Civic Assembly of the Women of the Philippines (CAWP) was established. It was an umbrella organization, and its orientation was never feminist. Women's politics, like Filipino politics more generally, felt the impact of martial law and the increasing centralization of political power. CAWP and its affiliates became 'showpieces' for Imelda Marcos, the president's wife. Alternative organizations also grew up. Concerned Women of the Philippines (CWP) was formed in the mid-1970s as an expression of solidarity against the Marcos regime. A number of its founders, such as Cecilia Muñoz-Palma, had previously been identified with the senior levels of the Marcos administration. She had been appointed by President Marcos as a justice of the Supreme Court but was forced to resign in 1977 for attacking the excesses of the administration (see Table 3.1). She did this during her commencement address at the University of the Philippines an institution which maintained a constant barrage of anti-regime criticism during the Marcos years.

From the late 1970s cause-oriented anti-Marcos groups began to proliferate. Women's groups were prominent in this development. They used a range of tactics including 'sporadic protest marches, demonstrations, and prayer rallies' (Gabriela 1984). They expressed their opposition to the continued violation of human rights, the presence of the nuclear power plants at Bataan and Morong, the social and political consequences of the US military bases and the exploitation of Filipinos by multinational corporations, with reference to working conditions and the production of dangerous baby foods and formulae.

The assassination of returning opposition leader, Benigno Aquino, in August 1983 caused a huge outcry in the Philippines and in the West. New opposition groups sprang up and others changed their focus. Such developments characterized women's politics at this time. According to one report of the National Commission on the Role of Filipino Women (NCRFW 1985:82), the many women's groups active during this time were 'sometimes associated with the opposition, considered as leftist or fronts of the rebel groups and on some occasions, interest groups concerned with particular issues'.

Gabriela, an acronym for the General Assembly Binding Women for Integrity, Equality, Leadership and Action, became the best known women's organization outside the Philippines. It was an umbrella organization consisting of a loose coalition of women's organizations. Gabriela made a major impact at the 1985 United Nations Conference for Non-governmental Organizations (NGOs) held in Nairobi. This was the companion to the official Conference to Review and Appraise the Achievements of the United Nations Decade for Women (Hill 1987:348). Women's issues in the Philippines, as in other countries, have been raised in the domestic arena at least partly as the result of United Nations initiatives. The Philippines participated in the various activities associated with the United Nations Decade for Women and set up new bureaucracies for women such as the NCRFW. Leticia Ramos Shahani, a career diplomat and the sister of Aquino's military chief, General Fidel Ramos, was appointed by the United Nations as Secretary General of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women.

Feminist politics, of a local kind, have united women of different political connections. Gabriela, the women's coalition named after Gabriela Silang, the Philippines eighteenth century equivalent of Joan of Arc, was an important source of criticism during the last years of the Marcos regime. Several leading figures in the Aquino government, including members of Con-Com, are, or have been, active in Gabriela. Four key principles unite members: the quest for 'democracy', 'a sovereign and truly independent Philippines', 'economic well-being' and the end of 'feudal patriarchal structures'. A leaflet circulated by Gabriela states:

The women of GABRIELA support the struggles of the great majority of Filipino women - workers, peasants and the urban poor - to attain economic well-being. GABRIELA assumes the responsibility to enhance the development of these grassroots women and to oppose any moves to dehumanize and oppress them (Gabriela 1984).

Gabriela has had to cope with two issues with the potential to cause damaging disunity, namely, communism and pro-choice. Resignations have occurred over the desirability or otherwise of links with women's organizations associated with the communist guerrilla movement, for example, the Makabayang Kilusan ng Bagong Kababaihan (MAKIBAKA), a constituent organization of the communist-dominated National Democratic Front (NDF). Mita Pardo de Tavera, an original Gabriela activist and later a minister in Aquino's cabinet, resigned in 1985 because of her opposition to the accreditation of communist women (see Table 3.2). Gabriela has been unable to campaign openly for the right of Filipino women to reproductive freedom.

Women's policies, family policies, the constitution and the state

The women members of the Con-Com exhibited several common characteristics (see Table 3.1). They were all associated with anti-Marcos or opposition politics in one form or another. There was little evidence that any came from groups outside the middle class, professional and/or upper middle class. Their homes, jobs and political and social networks were in Metro Manila rather than in the provinces. None could have been considered a 'housewife', the coy label sometimes accorded to the president herself (Burton 1987).

Despite these similarities there were considerable ideological differences among them over women's issues. One useful starting point is to distinguish between the traditionalists and the non-traditionalists. These differences were manifested over the so-called 'right to life' issue which was discussed at some length by the commissioners. As will be detailed below, two members, who could be termed traditionalists, actively favoured the clause which protected the life of the unborn from the moment of conception. One other in particular, led the attempt to moderate the clause by invoking the rights of the mother. The traditionalists were both members of the Concerned Women of the Philippines (CWP). An

anti-Marcos organization, the CWP consisted of well-to-do professional women. The non-traditionalist, Minda Luz Quesada who invoked the rights of the mother, was linked to a different women's organization, Gabriela, as well as having a long history of interest in women's health issues.

It would be a mistake, however, to assume that Gabriela possessed a liberal platform on issues dealing with reproductive freedom. Unlike the case in the West, feminism Filipina-style did not automatically include a commitment to individual freedom as reflected in 'the right to choose' idea. The position of church activists was also different and complex. Commissioner Sister Christine Tan, the sole nun on the Con-Com, was not an advocate of the so-called 'right to life' clause and in other contexts has spoken of the need for family planning in conjunction with basic economic reform.

It is thus necessary to avoid categorizing feminist debate in the Philippines in Western terms. Mita Pardo de Tavera, the minister responsible for social services and development, had become a vocal critic of the use of artificial contraceptives in family planning programmes. She had developed strong links with the conservative wing of the Catholic Church yet had been prominent in Gabriela's group at the Conference of NGOs held to mark the end of the United Nations Decade for Women in Nairobi, Kenya. She left Gabriela over the communist issue but had strongly identified with Gabriela's radicalism and economic nationalism. In 1987 she argued that the widespread use of artificial contraceptives under Marcos's family planning programmes had alienated the people and also the church. She believed that family planning should be pursued in the context of 'family welfare' with a policy that would be approved by the church, which, she claimed, spoke for the people. The Muslims, too, Pardo de Tavera argued, were against artificial contraceptives. The 'liberties' associated with artificial contraceptives were said to be 'not in keeping with our [i.e. the Philippines] culture'. Family planning did not become an issue during the Con-Com's deliberations in 1986 and in its discussions with women's groups

such as Gabriela. This was largely because of the impost of cultural taboos which operated to delimit the contours of the debate.

Debates over women's issues in the Philippines do not fit neatly into Western categories. It is also important to avoid assuming that the relative prominence of women in Filipino politics can be explained by reference to the South and Southeast Asian tradition whereby elite women become powerful due to family and class factors. Jahan (1987) has usefully surveyed the debates over this tradition. It is true that Corazon Aquino corresponds to the model of the strong family connection common to Mrs Gandhi, Miss Bhutto, Mrs Wazed, Mrs Bandaranaike and Mrs Zia. There are, however, a number of strengths which women and women's organizations have held in the Philippines to a degree not common to other South and Southeast Asian politics.

The 1987 constitution has been described in a semi-official publication, written by the Con-Com secretary-general in consultation with one other Con-Com member, as 'pro-people, pro-Filipino, pro-life and pro-God' (Romero 1987:6). It is the latest of several constitutions the Philippines has adopted this century. Others included the 1935 constitution and the 1973 'martial law' constitution of President Marcos. Interestingly, Cory Aquino's so-called 'Freedom Constitution', which she used as the basis for government until the 1987 constitution came into effect, was an amended version of Marcos's 1973 constitution. The 1987 constitution was drafted as a reaction against the 1973 constitution and as a formal legitimation measure for the Aquino government. While the 1973 constitution was lacking in detail, the 1987 product was replete with detailed information which managed to be vague and woolly at the same time.

The sections of the constitution dealing with women and family questions illustrate this tendency. More significantly, however, the content of the debates surrounding their drafting can be used to illuminate two questions of central importance to the position of women, namely the values of the women members of the new political elite and the likely impact of greater numbers of women in

government. Four sentences of the constitution are of particular importance, as follows:

Art II.

Sec 12. The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution.

Art II.

Sec 12. It [The State] shall equally protect the life of the mother and the life of the unborn from conception.

Art II.

Sec 14. The State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men.

Art XIII

Sec 14. The State shall protect working women by providing safe and healthful working conditions, taking into account their material functions, and such facilities and opportunities that will enhance their welfare and enable them to realize their full potential in the service of the nation.

In addition, the published interpretation of the constitution by the Con-Com secretary-general in consultation with one other Con-Com member asserted that 'the separation between Church and State is not absolute' (Romero 1987:10).

Art II, Section 12, on the protection of the mother *and* the unborn illustrates something of the lack of clarity of the details. Does it prohibit abortion in all cases? This is not clear. Part of the explanation resides in the fact that this sentence, like many others in the constitution, was the result of compromise. In its initial form it referred only to the protection of the unborn. Con-Com chairman Cecilia Muñoz-Palma and commissioner Teresa Nieva were among the leading promoters of the protection clause. Both have strong

links with the conservative wing of the Catholic Church. Minda Luz Quesada initiated the inclusion of the clause protecting the life of the mother. It seems that the debates and consultations raised her consciousness on women's issues. It must be realized that questions relating to women's reproductive freedom are difficult to discuss publicly in the Philippines. It was for this reason that Gabriela, which took an active part in the constitutional consultations, was unable to take a stand on the question. Gabriela's brief was to:

endeavour for the inclusion of constitutional provisions that will promote equal rights for women and men, as well as specific rights for women and children (Gabriela 1986:8).

It also called for a 'pro-women, pro-people Constitution' (*ibid.*). Leading members of Gabriela express pro-choice views privately but in order to preserve the integrity of Gabriela have been unable to use it as a forum or a launching pad for such beliefs.

In a similar fashion divorce was viewed as a taboo issue. Gabriela did not raise it. The constitution is relatively unambiguous on the issue. The idea of 'the sanctity' of family life is not something that comes only from the church. Left-wing groups also espouse it. Gabriela, for example, does not list the family as a site for women's oppression and has not called for legislation permitting divorce. It should be pointed out, however, that legal separation is available in the Philippines.

The importance of 'the family' was reflected in the fact that one of the eighteen provisions was devoted solely to the topic. Cecilia Muñoz-Palma was one of the co-sponsors. To the 'sanctity' of family life was added the statement that 'Marriage, as an inviolable social institution, is the foundation of the family and shall be protected by the state' (Art XV, Sec 2).

Another of the four sections was less clear cut. It included the following statement:

Art XV

Sec 3. The state shall defend:

- (1) The right of spouses to found a family in accordance with their religious convictions and the demands of responsible parenthood.

This was interpreted in quite different ways by leading women whom I interviewed. One minister saw this as guaranteeing that the policy of the government must follow both pro-life and contraception. She thought that the government's role was to 'inform' and to 'disseminate' information about the range of family planning methods. The guiding principle was the centrality of 'individual human rights'. It followed, according to the minister that if the right exists then 'there must be the tools'. This is quite different from the view of Mita Pardo de Tavera, the minister for social services and development.

Perhaps ironically, one of the few critics of the so-called 'family section' of the constitution was a Catholic nun, Sister Christine Tan (see Table 3.2). A worker with the urban poor, as well as a member of the two women's organizations listed on the Table, she expressed concern lest the constitution enshrine the traditional values of the church and ignore the need to grapple with economic and social realities. Sister Tan and other activists believed that the protective clauses did not go far enough. Gabriela, for example, had hoped that the constitution would provide for equal pay, equal opportunity, maternity leave and such like. Instead, in Article XIII, Section 14 there is a broad allusion to the right of women to work in 'safe and healthful conditions'.

Sister Tan voted in favour of the constitution but she had consistently adopted the so-called 'critical yes' position and had expressed particularly strong opposition to the US bases. None of the women delegates voted against the draft constitution's approval but nationalist bloc members, Minda Luz Quesada and Felicitas Aquino, expressed reservations publicly about their final pro-constitution votes. Tan, Quesada and Aquino had each been

involved in nationalist boycotts of Con-Com proceedings during the stormy debates on economic nationalism and patrimony.

For many Manila feminists there was one positive constitutional achievement, namely, the equal rights clause fought for by Felicitas Aquino (no relative of the president). Aquino was an activist in Gabriela, and with Christine Tan and minister Pardo de Tavera, one of the seven conveners of Gabriela's Second General Assembly in March 1985. The Philippines is one of the few nations with such a clause in its constitution.

What is striking then is the diversity contained within Gabriela and the breadth of the feminist programme. Minister Pardo de Tavera emphasized this in her speech to Gabriela's 1985 assembly:

We want peace to be restored but on our terms: nothing less than sovereignty, justice and democracy. That is what women want.

I invite women of all classes and persuasions to join hands and strive for the common good and to set aside differences that can be easily negotiated given the will to unify (Gabriela 1985:28).

Mita Pardo de Tavera's departure from Gabriela reminds one of the fragility of such coalitions and the persistence of ideological differences. It seems highly unlikely that Gabriela will be able to make significant inputs into policy under the Aquino administration. There are just too many divisions within Gabriela over questions of socioeconomic reform and over issues dealing with reproductive freedom. It should be emphasized that in 1986 there was a push from the church and within the ministry to remove public funding from the existing population programmes. The state would promote only two forms of contraception, the rhythm and 'Billings' methods, which are approved by the Catholic Church. In contrast with the 1973 constitution, the 1987 constitution contained no reference to the state's responsibility 'to achieve and maintain population levels most conducive to the

national welfare' (Republic of the Philippines 1973:33, Art XV, Sec. 10).

Conclusion

In conclusion it is useful to look closely at the characteristics of the leading women members of the Aquino government. Several common features emerge, as follows: in the first instance few links with the Marcos regime; secondly, high socioeconomic status, and; thirdly, fairly widespread involvement in cause-oriented politics (see Tables 3.1 and 3.2). A number of the women shared involvement in these political networks, and the Alliance of Women for Action Towards Reform (AWARE) and the National Citizens Movement for Free Elections (Namfrel) both seemed fairly important. With only a few exceptions the women were innocent of so-called traditional politics. Traditional politics had come to mean not only involvement in Marcos's administration and particularly his political party the Kilusang Bagong Lipunan (KBL). It refers more generally to the personality, as opposed to issue, politics which characterized pre-martial law elite democracy in the Philippines and has enjoyed a resurgence even in the current pro-Aquino political parties.

In many ways, the new women members of the political elite mirror the characteristics of President Aquino herself. Their collective presence shows that women have been recruited to the political elite in greater number than before. Their differences, however, over women's issues and socioeconomic questions means that they are unlikely to act in concert as a political bloc or lobby. It also remains to be seen whether the links between the women's movement and the nationalist movement will remain.

The information contained in the Tables is based on interviews I conducted and questionnaires I distributed in the Philippines in February 1987. Unidentified quotations are from these interviews. I am grateful to the women for their participation. Luz Tancangco, Raul de Guzman and Edith Colliver all provided invaluable help.

The travel was undertaken with the assistance of the Faculty of Arts, Australian National University. Unfortunately, I was unable to speak with all the senior women. Leticia Ramos Shahani was overseas and Karina David and Minda Quesada were difficult to pin down. I was able, however, to speak with several activists who knew them well.

Table 3.1: Women Commissioners - First Aquino Ministry

Name	Commission	Age	Marital Status/ Children	Self-defined class	Occupation	Marcos Administration	Opposition Party	Cause-oriented politics	Feminist Politics/ Women's groups	Church
Cecilia Hunoz-Palao	Con. Com - Chairman (6♀ in 48)	mid-70s	M-3 children	-	Former S/C Justice	Yes-but forced out in 1977 for criticising Marcos	Yes- MP:UNIDO 1984	No-but outspoken critic of Marcos	CMP	Yes
Sister Christine Tan	Con. Com	late-50s	Nun	upper M/C	Social work/teaching nun	No	No	Gabriela + Women religious	Yes	Yes
Teresita Nieva	Con. Com	mid-60s	M	upper M/C	church bureaucracy	No	No - 'not a traditional politician'	NANPREL (involved in setting up)	CMP	Yes- Family Life Commission
Felicitas Aquino	Con. Com	30	Single	M/C prof.	lawyer-human rights	No	No	Gabriela (Sec-Gen 1987) Mabini	Yes	Fought against 'conception' clause
Florengal Braid	Con. Com	mid-50s	M - no children	M/C prof.	Publicist/academic UNESCO	No	No	'Parliament of the Streets' Manindigan	CMP	-
Minda Luz Quesada	Con. Com	-	M	-	Professor of public Health/nursing	No	No	No	Some-what	-
Haydee Yorac	COMELC (one♀ in 6)	mid-40s	Single	upper M/C	lawyer/academic	No	No	Yes-human rights against torture	No	No
Celerina Antladrer	Civil Service Commission - Chairwoman (one♀ in 3)	mid-60s	M-5 children	upper	career bureaucracy	Yes-but resigned May 1984	Yes-contested 1984 elections for PDP-Laban	No	No-but Lawyers Ass'n of the Philippines	-

Table 3.2: Women Ministers and Deputy Ministers - First Aquino Ministry

Name	Ministry	Age	Marital Status/ Children	Self-defined class	last Occupation	Marcos Administration	Opposition Party	Cause-oriented politics	Feminist* Politics
Solita Iknasod	Economic Planning	Late 30s	M-5 children	upper	Economics Professor	No	No	Yes-AWARE, husband Chairman of NAMFREL	Yes
M. Pardo de Tavera	Social Services & Development	late 60s	Widow	upper	medical doctor	No	No	Yes-Gabriela	Yes
L.R. Quinsambing	Education, Culture and Sports	mid 50s	M		education academic/academic administrator	No	No	No	N/A
Marzalina Lim	Tourism	40	Sep. - 2 children	upper middle class	univ instructor/conference organiser	No	No	Yes-Bandila Manandigan	?
Hinda Sutaria	Education, Culture and Sports	mid 60s	M	-	teacher - career bureaucrat	Yes	No	No	N/A
M Cortes-Haluz	Local Govt	50	M-3 children	lower(?)	radio star	No	Yes - MP:FDP-Laban 1984	regional politics-Cebu	N/A
J. Lichauco	Transportation	late 40s	Sep. - 4 children	upper	lawyer/bureaucrat	Yes-but resigned after Aquino assassination	No	Yes-NAMFREL	?
L. Ramos Shahani	Foreign Affairs	late 40s	M	-	career diplomat	Yes-but returned from UN to work for CORY for 1987 Elections	Yes-CORY 1987	No	Yes NCFW
K. Constantino-Divul	Social Services & Development	late 40s	M	upper middle class	social work/academic	No	No	Yes-AWARE	Yes

*Feminist politics does not necessarily mean pro-choice on abortion and family planning

Ministers

Deputy Ministers

CHAPTER 4

THE 1987 CONGRESSIONAL ELECTIONS IN THE PHILIPPINES: CONTEXT, CONDUCT AND OUTCOME

Alan Robson

The Philippine congressional elections of May 1987 were the second of President Aquino's three major state reconstruction measures. The first was the constitutional plebiscite in February 1987 and the last will be the local government polls now scheduled for early 1988. The measures so far undertaken have structurally entrenched the new presidency and shown how popular Mrs Aquino continues to be. To that extent they are also vicarious presidential elections, although there is no doubt that Aquino won the snap presidential election of 1986. This demonstration of popularity is at least as important as the establishment of new constitutional foundations. In spite of an undeniable preoccupation with constitutionalism in Philippine political culture, the viability of political authority in the Philippines has tended to be determined by the ability of regimes to deliver patronage and bias policy to favour strategic social groups and individuals. Aquino's reconstruction measures, like those of her predecessor, have mainly been limited to the formal political domain in spite of the evidence of public opinion surveys which identify the 'people's power' basis to her rule as a more significant source of her authority than her formal political victory over Marcos in the snap election (Ateneo de Manila 1986). Thus, the legitimacy of Aquino's regime has a strong performative aspect to it in spite of the moves concerned with its formal entrenchment. Yet Aquino's people's power victory did not arise out of any alteration to the prevailing class structure of Philippine society. Indeed, it was a counter-revolutionary development on two fronts. First, by replacing the discredited and desperate Marcos regime, a re-imposition of martial law with the consequent risk of military dictatorship was avoided. The overthrow of Marcos's brand of authoritarianism was also a retreat from the structural radicalism which had focused political power in the hands

of the president at the expense of a more diffuse power system. Secondly, the Aquino succession stalled the advance of the militant Left which had made impressive gains during Marcos's rule. The counter-revolutionary nature of the Aquino regime will be of central concern in this description and analysis of the 1987 congressional elections.

Threats to the regime

Aquino's period of prerogative rule leading up to the congressional elections was dominated by the need to contain immediate threats to the regime from the Right and the military. Aquino's enormous popular support was both a disincentive and an impediment to any isolated military coup attempt, especially as this support had been institutionalized at the local level by her dismissal of undesirable local government officials and their replacement with pro-administration people, the Officers in Charge (OICs). Inevitably, many members of local elites transferred allegiance to the new government. The few remaining Marcos warlords thus found themselves fighting to preserve their threatened local power bases and were in no position to foment serious trouble at the centre. Factionalism in the Armed Forces of the Philippines (AFP) also diminished the threat to the government from the Right and prevented Enrile, defence minister for both Marcos and Aquino, from consolidating a monopoly of armed force around himself in the new administration. This did not, however, stop several amateurish coup attempts before the congressional elections and a very serious one shortly afterwards.

The left-wing threat was less immediate. The communist movement lost ground as a result of Aquino assuming power. It was unable to exploit a negotiated cease-fire with the government to bolster the position of the National Democratic Front (NDF) and failed to win policy concessions from the government over the US military bases in the Philippines and economic issues. Aquino eventually placated the military opposition to the cease-fire and strengthened her support in the US by promising to 'unleash the sword of war' against the communists if negotiations failed. She

tried to popularize this option with an appeal for the construction of a people's power counter-insurgency programme at *barrio* (village) level. Recent bases for militant counter-insurgency operations have been the armed gangs of local political warlords, the local volunteers of the Integrated Civil Home Defense Forces (ICHDF), the AFP itself and fanatical quasi-religious groups such as the Tadtad. These anti-communist organizations have provided the personnel and support for the anti-communist vigilante groups which proliferated during the past year. Support for them under the rubric of people's power from the government and conservative elements in the church did nothing to attenuate their anti-popular basis. There was a vigorous counter-attack from cause-oriented groups associated with the Left. They attempted to demonstrate that the communist New People's Army (NPA) was not like the Khmer Rouge, as the Right alleged, but that vigilante groups were violent and undemocratic. Publicity over the atrocities committed by vigilante groups, their continuing warlord connections and support from certain US interests embarrassed the government but failed to halt the growth of these groups which pose as much of a threat to the operation of institutional democracy as they do to that of the NPA. In general, people's power never transcended the street theatre of the EDSA revolt. Aquino's vague call for the establishment of 'people's councils' in the *barrios* seemed more like Marcos's early martial law *barangay* democracy than a genuine attempt at democratization. Her call was, anyway, mostly answered by affirmations of support for her administration from elite-dominated local bodies.

Within government, regime stability was threatened by factional disputes. These became less acute after Enrile's dismissal and the subordination of vice-president Laurel, but they were never completely resolved. Right up to the congressional elections there was a major split between the 'economic nationalists' around executive secretary Joker Arroyo, and the rising proponents of deregulation and social conservatism, nicknamed the 'Council of Trent' because of their Jesuit links and ostentatious moralism. Aquino's equivocating stance between the two groups made it hard for her to discipline the cabinet.

In spite of these threats to the regime and to its stability the economy showed signs of recovery through a combination of deregulatory measures, renewed foreign aid and investment, and credit adjustments. Marcos crony firms continued to be sequestered by the Presidential Commission on Good Government (PCGG) but there were indications that a new crony capitalism had already begun to orbit around Aquino's Malacañang (*Veritas* 19-25 March 1985; *Far Eastern Economic Review (FEER)* 26 March 1987). The church also provided unstinting support and helped to promote Aquino's platform in the constitutional plebiscite. Aquino's overwhelming victory in this electoral exercise reaffirmed her immense popularity and indicated the importance of her endorsement for candidates. Despite factional disputes within government Aquino had no difficulty in constructing a united coalition for the Senate elections.

Coalitions and campaigns

Aquino's Senate coalition included representatives of *Lakas ng Bansa (LABAN)*, *Philippine Democratic Party-Lakas ng Bayan (PDP-Laban)*, *Bansang Nagkaisa sa Diwa at Layunin (Bandila)*, *National Union of Christian Democrats (NUCD)*, *Panaghiusa*, the Laurel wing of the *Nacionalista Party*, and the Salonga wing of the *Liberal Party*. All, however, ran under the LABAN label. It had the overall conservative ideological cast of the government but included such moderate Leftists as Rene Saguisag, Wigberto Tañada and Augusto Sanchez, while others like the veteran politician Jovito Salonga could be expected to take a nationalist stance on issues like the US bases. Sanchez had been dismissed as labour minister in January 1986 after pressure had been brought on the president by business interests which considered him too sympathetic to the militant *Kilusang Mayo Uno (KMU)* labour movement. Both Tañada and Saguisag were street politicians and human rights lawyers. For the most part though, the administration ticket was made up of long-standing oppositionist politicians like Raul Manglapus, Neptali Gonzales, Ernesto Maceda, Mamintal Tamano, John Osmeña, Victor Ziga and Alberto Romulo, all of whom had previously held Senate or

Batasang Pambansa seats. Other candidates on the Aquino slate included the former University of the Philippines president, Edgardo Angara, the president's brother-in-law, Agapito 'Butz' Aquino, former deputy education minister Arturo Defensor, Trades Union Congress of the Philippines (TUCP) general secretary Ernesto Herrera, the vice president's brother Sotero Laurel, former Metro Manila mayor Joey Lina, former public works minister Vicente Paterno, the controversial former local government minister Aquilino Pimentel, Santanina Rasul from Sulu, former United Nations assistant secretary general Letitia Shahani, television personality Orlando Mercado, human rights activist Teofisto Guingona and Heherson Alvarez who, like Manglapus, had been active in the US-based Movement for a Free Philippines (MFP).

The Right's opposition to the administration's Senate ticket came from the Union for Peace and Progress-Kilusang Bagong Lipunan (UPP-KBL) and the newly-constituted Grand Alliance for Democracy (GAD) on the Right. The lacklustre UPP-KBL team which included former Batasang Pambansa members like ex-speaker Nicanor Yñiguez was dominated by politicians unrepentently associated with Marcos. It had initially hoped to mount a common senatorial ticket with GAD but this hope evaporated when GAD insisted that notorious Marcos stalwarts like Batasan members Rafael Recto and Salvador Britanico and former Commission on Elections (Comelec) commissioner Leonardo Perez be dropped from any common ticket. As a result, the UPP-KBL went into the election campaign with only seventeen candidates against a much stronger and bigger contingent from GAD.

The GAD coalition included the Kalaw wing of the Liberal party as well as elements claiming to represent the United Nationalist Democratic Organization (UNIDO), the KBL and the Nacionalistas. The banker Vicente Puyat was the nominal Senate ticket leader but Juan Ponce Enrile was undoubtedly GAD's leading personality. The others were mostly former 'young turks' of the Marcos administration and ex-KBL politicians with an independent provincial power base. Among the latter were former provincial governors Rene Espina, Alejandro Almendras, Vicente Magsaysay, Rafael Palmares, Isidro Rodriguez, Lorenzo Teves and Fernando

Veloso. Like Juan Ponce Enrile, Roilo Golez, Wilson Gamboa, Blas Ople, Francisco Tatad, Arturo Tolentino and Zosimo Paredes had been ministers or deputy ministers under Marcos. The veteran anti-communist Liberal oppositionist Eva Kalaw who had contested the vice-presidency during the snap election also ran as a GAD candidate. So did the popular movie star Joseph Estrada and a former Miss Philippines, Edith Rabat. GAD also claimed former Batasan members Homobono Adaza, Jeremias Montemayor, Wenceslao Lagumbay and Romeo Jalosjos, and Firdausi Abbas and Abdul Alonto who had been active in Muslim politics.

On the Left, the Partido ng Bayan (PnB), the Volunteers for Popular Democracy (VPD) and the cause-oriented umbrella organization Bagong Alyansang Makabayan (BAYAN) came together in the Alliance for New Politics (ANP). There had been some internal debate as to whether the Left had the resources to mount a national campaign for Senate and it was eventually decided to put forward just seven candidates, although there were to be 103 Left-affiliated lower house contenders. Supporters thus had the possibility of voting for a ticket made up of the ANP group and the more progressive administration candidates. Five of the seven ANP candidates had been political detainees. The two most prominent in this respect were Bernabe Buscayno, the founder of the NPA, and Horatio Morales, former NDF leader and VPD founder. The other ex-detainees were KMU chairman Crispin Beltran, women's group activist and head of the radical women's group coalition, Gabriela, Nelia Sancho, and former publisher of the newspaper *Malaya*, Jose Burgos. Jaime Tadeo, chairman of the militant Kilusang Magbubukid ng Pilipinas (KMP) peasant organization and head of BAYAN, and the former Laban activist Romeo Capulong were also on the ticket.

Finally there was a scattering of independent candidates including the movie star Jose Bautista and ex-mayor of Laoag, national Jaycee president and Marcos stalwart, Rodolfo Fariñas.

In the lower house contest over 1,800 candidates pursued 200 seats. Aquino declared that the contest for lower house seats would be 'open' with no official administration coalition ticket. This led to a proliferation of candidates claiming government affiliation. Aquino

did proclaim her own LABAN choices in many districts, and candidates fought to be the official 'Cory's choice'; even so, LABAN affiliation was often claimed by more than one candidate in a district. The most common pro-administration party endorsements and designations were LABAN, PDP-Laban, UNIDO, various Liberal Party groups and certain regional parties. For the Left, PnB was the usual label. On the Right, KBL, GAD and the Nacionalista Party dominated the field. But, candidates often claimed multiple endorsement in an effort to strengthen their electoral credentials. One candidate in Zambales province claimed to represent five major parties (most of which were represented individually by other candidates) while there were numerous constituencies with more than one candidate per party. In one Quezon City district no fewer than twenty-four candidates claimed allegiance to Aquino. Vote-splitting would therefore be a feature of the lower house contests. Mutually beneficial deals between lower house candidates, or their sponsors, and senatorial support groups were reportedly common. It was also in the lower house districts that political warlords of the Marcos era would make their bids for a continued national political presence. Usually, however, the local elites were less combative and preferred to accommodate with the Aquino administration by adopting pro-administration stances.

A problem all the major political parties faced was the expense and organizational difficulty of running a nationwide political campaign for the Senate election. One-constituency Senate elections in a bicameral representation system had been a feature of the 1935 constitution. This applied through the period when political contests were fought between provincial factions operating under the banners of the ideologically indistinguishable Liberal and Nacionalista parties. Under the 1972 martial law constitution, however, the Senate had been abolished in favour of a single-chamber assembly, the Batasang Pambansa, whose members were elected from local constituencies. Only the president could claim to represent a national constituency. But political centralization was evident in the outcome of the heavily-controlled Batasan elections. To secure power, local elites needed to deal with Marcos's Manila-based KBL. The old Liberal and Nacionalista coalitions did not survive the Marcos era in a form that allowed them to forge

national political alliances. In 1987, the political scene was heavily divided. In a continuation of the Marcos tradition, a crucial feature of the Senate campaign was the electoral advantage accruing to candidates who could prove direct association with the president. The single nation-wide Senate constituency conferred particular importance on this kind of endorsement. Candidates often failed to look at the electoral arithmetic involved in the new system. Enrile, for example, spent a lot of time rallying support in his northern Luzon bailiwick of the Cagayan Valley and making peace with voters in Marcos's Ilocos homeland. But whatever his success in these endeavours, the election was being won or lost numerically elsewhere. In the absence of the old Liberal/Nacionalista power-broking system, highly focused regional bases could not prove sufficient to put candidates into the Senate. The same observation holds true of the focused sectoral support bases claimed by the Left.

The administration's campaign inevitably exploited Aquino's popularity and emphasized the presidential support for particular candidates. This approach was given impetus by PDP-Laban surveys which showed a low voter awareness of specific issues coupled with a disposition to vote for anyone Aquino nominated. The president campaigned personally in many constituencies with the message that her presidency was at issue. The administration's Senate campaign was technically well-organized and there was little 'dumping' of candidates compared to the right-wing opposition. Aquino's insistence on campaigning for the whole LABAN slate reduced the impact of the uneven distribution of campaign funding between individual candidates. The biggest spender on the administration side was Angara, who allegedly laid out seven million pesos; another eight candidates each spent between four and five million pesos, and the remainder spent between one and four million (*Malaya* 13 June 1987). Most of this money went on sample ballots and radio and television advertising. Musical jingles rather than policy statements were the order of the day (characteristic of these was the personalized version of the pop song *Body-Rock* with which Joey Lina campaigned) as was anything which might indicate proximity to the president. Somewhere amongst all this there was an official LABAN policy statement. This was a thirteen page set of generalities promising such things as

resistance against the return of oppression, a voice in government for the poor and an independent judiciary. The president's commitment to economic deregulation featured and there was a promise to 'devolve' land to the tiller. The most specific social policy proposal was one for free secondary education. On the US bases issue, the platform favoured 'keeping options open' until after the expiration of the present agreement. The nationalist bloc occasionally attacked foreign control of the Philippine economy while Left-leaning Sanchez identified a major problem as the economic control exerted by the wealthiest eighty families.

The UPP-KBL campaign never really overcame the party's failure to strike a coalition bargain with GAD. There were a few newspaper advertisements highlighting the communist menace, complaining about the neglect of the military and alleging harassment of their candidates. But their poorly focused and underfinanced campaign soon ran out of steam and was eclipsed by the more sophisticated GAD effort which attracted the bulk of the Right's funding. The two biggest campaign spenders of any party were GAD's Enrile and Puyat, both of whom laid out more than nine million pesos (the Puyat family's Manila Banking Corporation collapsed shortly after the election). Like their counterparts in the UPP-KBL, GAD candidates alleged a lax government approach to counter-insurgency. They also appealed to military personnel for their support. Regional autonomy proposals in the constitution were attacked. On the US bases issue, GAD candidates called for a renegotiation of terms to secure increased direct US payment. This reflected many GAD candidates' feeling of betrayal over the US abandonment of Marcos. For Enrile, this was a personal campaign difficulty because of his own complicity in the events which led to the overthrow of Marcos. In the Ilocos, Enrile blamed Marcos's advisers for the president's downfall and apologized for the role he had played. Such comments were a liability in the anti-Marcos south where Enrile denied making them. This strengthened the general perception of him as a rapidly oscillating *balimbing* (somebody who changes political allegiance). The television and press advertisements portraying him as a moderate national statesman did little to alter this image. Enrile seemed to campaign more as an individual than as a member of GAD. So did Puyat who

also made an exculpatory appeal in the north where he promised to work for Marcos's return if he was elected. These references underscored GAD's main electoral problem - the powers and resources of the state were not on their side.

The same was of course true for the candidates of the ANP. They mounted a vigorous soapbox campaign on slender financial resources and received some support from the Left-leaning press, notably the newspaper *Malaya*. Their Senate candidates travelled through the archipelago en bloc and received a good reception from large numbers of youthful supporters, many of them associated with BAYAN. The itinerary included all the main cities. ANP rallies were well publicized by local newspapers and were usually well attended. The main campaign emphasis was on the 'new politics' of issues as opposed to what they described as the personality contests of 'traditional politics'. Such politics was being practised by candidates from the administration and the right-wing opposition. All the ANP candidates proved fluent campaigners with a good grasp of policy issues and a coherent platform. Nonetheless there was still some spread of opinion between them, with Jose Burgos supporting a free market economic system as against the socialism of the other candidates. There were also differences of focus. For example, Sancho spoke on womens' issues, Beltran dealt with the problems of urban workers, while Tadeo concentrated on agrarian reform. ANP economic policies proposed nationalist industrialization, selective debt repudiation and rejection of the IMF-World Bank recovery programme. On agrarian reform it was proposed to eradicate landlordism through a free land redistribution programme with only selective compensation to owners. In foreign policy they called for abrogation of the existing bases treaty. US involvement in Philippine domestic affairs was predictably excoriated, with the issue of US support for vigilante groups a particular focus of attention. Perhaps surprisingly, the ANP candidates were never attacked directly by vigilante groups during the campaign although twenty-nine of their supporters were killed and fifty others detained by the police and military (*Malaya* 22 May 1987). Many local offices of the ANP and their affiliate groups were raided by the police. One raid in Metro Manila led to the arrest of seven activists who were accused of possessing arms on what the ANP said were

trumped up charges. For their part the police tended to view the ANP as a wing of the communist movement able to campaign openly at a time when the police were frustrated at their inability to react effectively to a wave of NPA 'sparrow unit' killings of policemen in Manila. Indeed, shortly after the election campaign the Manila-based Alex Boncayno sparrow unit took out newspaper advertisements to explain that they only killed a specified range of abusive policemen (*Malaya* 15 June 1987). This could not have helped matters much. The Metro Manila ambush of Bernabe Buscayno after the elections was thought by the ANP to have been an act of retaliation by off-duty policemen for sparrow unit executions. In general, the ANP candidates were faced with the problem of being radical-legal Left campaigners in the midst of a civil war, where supporters of the insurgents could be expected to vote for them. The government would obviously refuse to meet them on their favoured ground of policy debate and they would just as obviously be harassed by the forces of the state and local elites.

The government's anti-Left attitude was supported by the church establishment. Cardinal Sin, in spite of frequent avowals that he was withdrawing from partisan politics, urged voters to avoid candidates of the 'extreme' Left or Right. He attacked the KBL as self-interested but singled out candidates espousing a 'godless ideology' and advocating the 'class struggle' for maximum vitriol (*Malaya* 23 April 1987). At the same time, he launched an attack on activist priests and nuns with NDF ties, taking the Aquino line that the justification for such involvement had passed with the departure of Marcos and the country's 'liberation from that regime of oppression' (*Malaya* 15 April 1987). The NDF-supporting Christians for National Liberation (CNL) and various other Left-leaning religious groups responded with newspaper advertisements publicizing continuing human rights abuses, although these responses presumably had less impact than the exhortations, ex-cathedra or otherwise, of the cardinal. The National Council of Churches in the Philippines (NCCP) also took out advertisements calling for genuine land reform, respect of human rights and honest election practices. Some may have interpreted these as a plea for the Left. Cardinal Sin eventually stepped directly into the campaign through his promotion in the church magazine *Veritas*, of 'ten

outstanding senatorial candidates' (TOSCA). This TOSCA list was drawn completely from the administration ticket and it included several of the more progressive candidates plus a couple who may have looked in need of some providential assistance. A condition of nomination, however, was support for the church's position on issues like divorce and abortion, so the inclusion of the progressives may have had more to do with getting likely winners on side than with helping the Left of the Aquino ticket.

Cardinal Sin did not have the field of religious nominations to himself. As a counter to the TOSCA endorsements, the progressive Association of Major Religious Superiors of the Philippines (AMRSP) came up with its own list of candidates which included three Leftists. The Iglesia ni Cristo, an indigenous church, also put out a list of fourteen nominees from the administration ticket and sixteen from the right-wing opposition. The Iglesia claims up to 3 million adherents; its endorsements carry weight because its members are expected to follow strictly the advice, electoral or otherwise, of the leader as a matter of religious conviction. The Iglesia leader Manalo had supported Marcos right up to the snap poll but this time he was obviously hedging his bets. The Iglesia ni Cristo extracted a promise from the candidates it endorsed to vote for the repeal of the religious instruction in schools clause of the new constitution. Like the growing number of fundamentalist protestant groups, the Iglesia has a strong constituency in the military.

The various campaigns closed, as usual, with rallies in Manila. The best attended was Aquino's meeting at the Liwasang Bonifacio where she appeared alongside all her senatorial candidates and made a final plea for a complete LABAN win in the upper house. Few believed this possible.

The poll

On 11 May, 90 per cent of the country's 26 million registered voters went to the polls in all but a few areas. The Comelec had declared constituencies in Sulu and Lanao as emergency zones and voting took place there at a later date. The electoral registers were

in fairly good order, having been purged of many false names and ghost (non-existent) *barrios* in the preparations for the February plebiscite. By the standards of Philippine elections (Carbonell and Nicolas 1986), the voting in May was fairly orderly and peaceful, though there were still twenty-five election-related deaths around polling day. There were few reports of ballot box snatchings, ballot substitutions and deletions, and there was certainly nothing like the mayhem of the snap presidential election. Nonetheless, ballot counting was extremely slow. In part this was due to the awkward and time-consuming task of allocating the twenty-four names on each Senate ballot into the eighty-four spaces on the official tally sheets. With an average of around 250 voters spread over 101,551 precincts, counting over many days could be expected especially as the lower house tallies also had to be made. But the Comelec's failure to demand prompt submission of canvass returns from its election supervisors and boards of canvassers naturally fostered suspicions of poll manipulation once it became evident that the Aquino slate was going to score a sweeping win. At the national tally room misrecorded results were relatively commonplace and scrutineers had to keep a sharp eye on the tabulation of returns. The incidence of such errors reportedly increased as the battle for the last few Senate positions intensified.

Lack of good data makes it difficult to present a well-informed account of how polling went in many provincial areas, particularly those dominated by political warlords. The face-saving custom adopted by many losers of claiming cheating by the winner does not make forming an accurate idea of what went on any easier. There were reports of violent incidents in a few areas, and in Negros Occidental a Comelec registrar ordered ballot counting in twenty-two districts in the municipality of Candon to be conducted in the town proper because of intimidation in outlying *barrios*. Nowhere, however, did these kinds of reports seem to indicate a complete breakdown in Comelec control; losers would of course claim that Comelec itself was manipulating an administration win, while there is some question as to the reality of Comelec control in electorates where particular elite families exercised strong domination. Naturally, suspicion was aroused by the wins of lower house candidates who were or who had the support of local warlords

known for their standover tactics during the Marcos period. However, even in these areas vote-buying rather than overt coercion seems to have been the *modus operandi*.

Extensive vote-buying was alleged but the extent of this traditional practice remains unknown (*FEER* 21 May 1987; *Malaya* 1 June 1987). It is an endemic feature of Philippine elections and will persist in an unreconstructed social system where there are poor electors and rich local elites who desire power and who are not constrained by the appearance of fairness required by Western democratic theory and practice. It is also obviously hard to distinguish between vote-buying accompanied by the threat of coercion and vote-buying in which there is an option not to sell. In the post-Marcos Philippines the level of coercion in vote-buying is down and it is no longer co-ordinated directly from the office of the president. GAD made persistent claims of massive systematic fraud once it became evident that their candidates were losing, but they were not able to sustain their charges with sufficient detailed evidence (*Malaya* 13 May 1987). They did itemize polling irregularities in several regions where administration candidates won in situations where the total number of votes cast exceeded the number of electors. Some trimming of GAD results by local officials seems certain. Naturally, accusations of electoral malfeasance by GAD and the UPP-KBL were greeted cynically by people who remembered the wholesale cheating of these same groups during the Marcos period when they were on top. The ANP certainly had a stronger case for its claims of systematic fraud, but no amount of manipulation and trimming could have made any difference to a Senate result in which the top ranking ANP candidate received only one sixth as many votes as the lowest ranking winner. In fact the most compelling complaint of effective electoral malfeasance was to come not from the opposition, but from defeated administration candidate Augusto Sanchez.

Sanchez was widely regarded by employers and business groups and the formerly KBL-aligned TUCP as sympathetic to the left-wing KMU and therefore the least attractive administration Senate candidate in a team which also included the TUCP general secretary Ernesto Herrera. There were, therefore, early fears on the

Left that Sanchez was a courtesy candidate who would be dumped by the administration. This did not eventuate in the campaign but problems arose during counting when many Comelec officials rejected ballots marked 'Sanchez' on the grounds that there was more than one candidate with that name. In fact there had been a Gil Sanchez registered as a candidate but he was struck off more than a month before polling for failure to comply with the requirement to lodge 200,000 copies of his certificate of candidacy with the Comelec. The Comelec failed to strike his name off the list of official candidates sent out to the polling stations shortly before the elections. To make matters worse, the disqualified candidate himself appeared on television with Enrile and Ople just three days before the election to appeal for votes. A Comelec member sympathetic to Augusto Sanchez, Haydee Yorac, made a television broadcast shortly before the election advising officials about the problem, but to no avail. Many local Comelec officials continued to ignore advice from the national counting office to count all votes marked 'Sanchez' for the official candidate (Augusto Sanchez) because this advice frequently failed to arrive in the form of an official notification. During the national tally room scrutiny of the certificates of canvass, Yorac also discovered that the Comelec recording of the Cavite certificate showed only 40,000 votes for Sanchez while the actual figure was 167,000. Similarly a certificate from Marinduque was tallied as showing only 12,000 votes for Sanchez, instead of the 121,000 actually canvassed (*National Midweek* 10 June 1987). These errors were blamed on 'calculator problems' when they were brought to the attention of commissioners. Sanchez was not the only candidate to suffer from misrecorded results but this happened very frequently with him. It is impossible to accurately determine how many votes Sanchez was finally deprived of, but it seems likely that he received more than the bottom polling winners in the Senate race. When the evidence of unfairness became impossible to ignore, Comelec finally agreed to a partial recount of votes in the 6,000 or so most disputed precincts. This was overruled by the Supreme Court which instructed Comelec to declare Enrile the final Senate winner. A recount for Sanchez would have created a precedent for similar demands from other losing candidates, particularly if it had been executed on a selective

precinct basis. This would have made it difficult to ever arrive at a definitive resolution of election results. As it was, it took Comelec three months from the date of the election to declare the last Senate place.

Two other factors emphasize the potential for government control of the election result, although it is hard to assess the overall impact they had on the electoral outcome. First, the National Movement for Free Elections (Namfrel), which had been such an effective protector of opposition results during the snap election because of its antagonism to the Marcos-controlled Comelec, was this time monitoring an election being fought by a government of which most Namfrel members approved. The administration senatorial candidate Aquilino Pimentel believed that the independence of the poll watch body had been compromised by rewarding Namfrel officials with public office and by petty dealing between the government and Namfrel (*Malaya* 8 June 1987). Pimentel suggested the revival of partisan party scrutineers as a more realistic way of monitoring the counting. Secondly, the local government minister, Jaime Ferrer, made it plain that the administration-appointed OICs were expected to support the government ticket on pain of dismissal. After the election he warned that OICs in areas which had failed to deliver an administration win would be dismissed. Ferrer, who was assassinated shortly after the election, was an enthusiastic anti-communist crusader and a supporter of right-wing vigilante groups. His principal animosity was directed against OICs believed to support the ANP. In a post-election tour of the Bicol region of Southern Luzon he took turns with senator-elect Victor Ziga to denounce OICs in areas where ANP candidates had made it into the top twenty-four; many of these officers were later dismissed. Failure to organize anti-communist vigilante groups was another ground for dismissal. Thus, there was a strong incentive, born of self-preservation, for OICs to minimize the Leftist vote during the elections.

The vote tallying dragged on for months, with a number of lower house appeals still pending at the time of writing (August 1987). However, all of the senators and most of the lower house

representatives are now in place and the general recorded voting pattern is clear. In the Senate there was a clear clustering of candidates by party affiliation, with twenty-two of the twenty-four winning positions going to the LABAN slate. Salonga and Butz Aquino were the top scorers with over 12 million votes each. GAD's Joseph Estrada won fourteenth place, presumably on the basis of his popularity as a movie star. The fight for the last winning slot was intense with Enrile on 7,964,966 just making it past the LABAN candidates Sanchez and Defensor. The unsuccessful GAD candidates occupied the next cluster with a wide spread of support. The top scorers for GAD were its big names like Kalaw, Puyat, Almendras, Tolentino, Ople, Tatad, Golez, Espina and Adaza, each of whom received over 4.5 million votes. Bautista also made it into this group, and the KBL's Recto was not far behind with 3,277,088 votes. The other GAD candidates straggled out behind with 1.5-3 million votes. The three top KBL scorers after Recto were next, each with around 1.5 million votes. Following on was the tight ANP cluster with all their candidates getting 1-1.5 million votes. In amongst them was the KBL's Millora on 1,242,115 and then came the remainder of the UPP-KBL team with between 400,000 and 1 million votes. Most of the independents were scattered at the bottom of the tally sheet. It is possible, on this result, that if the right-wing opposition had mounted a common Senate ticket, more of their candidates might have won, but this is far from certain. After all, the UPP-KBL put up only seventeen candidates, far from a full slate, yet only two GAD candidates made it to the Senate.

There was some regional and sectoral variation in the voting pattern. GAD candidates did as well as the administration in Regions 1 and 2. This reaffirmed the anti-Aquino, Right vote recorded there in the plebiscite. Region 1, the Ilocos, was the home of Marcos. Region 2, the Cagayan Valley, was Enrile's political bailiwick. He was the highest polling candidate in Region 2. Apart from this, there were candidate-specific vote fluctuations in the remaining ten regions, mostly reflecting candidates' place of origin. The ANP did better than the lower ranked GAD candidates in Regions 5, 6 and 8. Region 5 includes parts of Southern Luzon where the NDF is reputedly strong. Region 6, the Western Visayas, contains the cities of Iloilo and Bacolod. Region 8 covers the

Visayan islands of Leyte and Samar, the latter being a hotbed of NPA activity. Nonetheless, in many areas of strong NDF support, the ANP did not do all that well. In part this occurred through the inability of the ANP to monitor the conduct of the polls. The numerically small absentee vote is significant because it is mostly composed of returns from the military. The top-ranking GAD candidates were the clear winners here, with the administration and bottom-ranking GAD candidates equal next.

In the lower house contests pro-administration winners greatly outnumbered those of other persuasions (see Table 3.1). Aquino had again triumphed. However, some nominally 'pro-administration' candidates won against 'Cory's choices' while pro-administration vote-splitting sometimes opened up opportunities for opposition wins, though it was not always easy to distinguish candidates' attitudes towards the administration from their declared party affiliation. There was some continuation of anti-Aquino provincial elite control in a number of areas, particularly in Regions 1 and 2. Former Marcos tourism minister, Jose Aspiras, won a seat in La Union province while under indictment for complicity in the murder of Ninoy Aquino. Further up the coast in Ilocos Sur province, the Singsons, who were similarly implicated, won the two seats. KBL candidates romped home as expected in Ilocos Norte and Isabela provinces while the Estrella family returned two members in Pangasinan. Other right-wing opposition successes included Ramon Durano in Cebu, and Abdullah Dimakuta Dimaporo in Lanao del Norte. But while the success of candidates endorsed by the more notorious warlords of the Marcos period strike the eye, in fact the general pattern was for continued local elite representation, with many families once identified strongly with the former regime only too happy to make a functional peace with the new central government. Other elite families who had been politically dormant during the Marcos era also took the opportunity to reassert their control. Candidates of the ANP won only three seats. Although Aquino's broad coalition of candidates won 136 of the 190 seats now declared (August 1987), the level of control her administration will be able to exert on the lower house is far from certain. Some of 'Cory's choices' may prove unwilling to concur with the policy preferences of the president as they have no ideological bond with

her and party discipline could be lacking. She will be helped, however, by being able to nominate a further fifty sectoral representatives to Congress in addition to the 200 elected members.

Table 4.1

Distribution of Members of Congress by Party Affiliation and Region as of August 14

Region	Pro-Aquino	GAD, NP UPP, KBL	ANP	INDEP- ENDENT	TOTAL
NCR National Capital Region	15	1	0	4	20
1 Ilocos	7	5	0	4	16
2 Cagayan Valley	5	5	0	1	11
3 Central Luzon	16	1	1	1	19
5 Bicol	8	1	0	5	14
6 Western Visayas	14	0	0	3	17
7 Central Visayas	13	2	0	0	15
8 Eastern Visayas	7	3	1	0	11
9 Western Mindanao	8	1	0	1	10
10 Northern Mindanao	10	1	0	0	11
11 Southern Mindanao	9	3	0	3	15
12 Central Mindanao	5	1	1	0	7
TOTAL	136	28	3	23	190

Source: Commission on Elections

Notes: (a) The 'Pro-Aquino' parties would include LABAN, PDP-Laban, UNIDO, Liberal Party groups, Bandila, NUCD and some regional parties.

(b) The final total of elected members is 200.

The overwhelming government win in the elections is not difficult to understand, just as the ANP's declaration that the outcome was a victory for traditional politics was obviously true. Provincial political elites have always courted the central government and the fluid political situation after the collapse of the Marcos regime increased the importance of establishing connections with Malacañang, particularly as the next presidential elections are more than five years away. The OIC system provided, in many cases, a direct point of contact between local elites (from whom many OICs were in any case drawn) and the administration.

Discussion

At the level of public opinion the 'Cory' factor has remained extremely important, with a majority of voters prepared to defer to her choices of representative. The Left claim that this represented voter confusion about self-interest is not clearly established. In the fifteen months between the triumph of people's power and the elections there were five coup attempts which traded on uncertainty about the president's legitimacy and there was a widespread feeling that the elections were ultimately about a choice between an Aquino-led civilian government and a right-wing regime with military support, if not an outright military dictatorship. Tactical voting may also have played a role. A large non-vote for the weaker administration candidates in favour of the Left, for example, would have increased the representation of GAD. The president's campaign style with its frequent references to peoples' power appeals to many voters who feel that she is close to them and not a remote figure in Malacañang. The electoral arithmetic of the new constitution also favoured the administration. Senators are elected on a first past the post single nation-wide constituency. This voting system makes it very difficult for candidates without general support to be elected; highly focused regional or sectoral support, no matter how strong, will never be enough on their own to secure an election win. A strong vote would always be required in the vote-rich Metro Manila and Tagalog regions and in the Visayas. Aquino's candidates scored well in these

areas as against the opposition candidates with their narrower regional and sectoral support bases.

The GAD and UPP-KBL candidates were handicapped in the most populous areas by their past association with the Marcos regime. Large amounts of money and famous names could not compensate for this. Kalaw was an exception, but she had run as a vice-presidential candidate against the Aquino-Laurel ticket in the snap election and this, quite apart from her new association with GAD, probably cost her votes. As noted earlier, the main problem for GAD candidates was their distance from a government which was obviously well established in office and about to receive further support through a strong victory in the congressional elections. From a pragmatic point of view it made little sense for anyone not anticipating a military take-over to support the Right. Local elites sympathetic to the Right thus had to weigh political principles against the practical risk of estrangement from the regime. The absence of an alternative power structure at the centre, outside the military, was another factor in this choice. Apart from Estrada, and possibly Enrile, none of the GAD candidates had the fresh non-Marcos electoral image required for victory. At least Enrile had the credential of having participated in Marcos's overthrow even if he was to apologise for his role in it during the campaign. However, his solo style did not spread his support onto the rest of the GAD team. When the extent of GAD's loss became apparent Estrada and Enrile claimed that they would not sit in the new Senate even if they were elected; but when their election began to look likely, both quickly drew back from this posture, with Enrile switching back and forth with the ebb and flow of his fortunes in the count. Estrada's early confirmed win saw him heading rapidly in the direction of Malacañang, white flag in hand. The outrage being expressed by the losing GAD candidates was thus overshadowed by the musical chair antics of their leading candidates. GAD made a wildly optimistic attempt to revive the people's power EDSA demonstrations outside the military camps, but failed abysmally on both sides of the fence. Now that Enrile has made it to Senate an attempt has finally been made to consolidate the Right by forming a GAD-UPP-KBL coalition under his leadership.

As recent events have shown, the threat of political action from the military has persisted into the post-election period, as have suspicions about Enrile's loyalty to the new constitution. The strength of the late-August coup attempt led by Colonel Gregorio Honasan was a reminder of how dangerous military opposition to the civilian regime is and how sections of the military refuse to acknowledge the repeated and massive popular endorsements of the Aquino regime's legitimacy. Had Honasan managed to take control of the government television station and broadcast this success to sympathetic commanders in the provinces around Manila, there could have been a snowballing effect and Aquino might have been struggling to survive. But it is difficult to imagine how the coup leaders supposed they could form a government which would control the country if the coup had succeeded. The coup-makers have put their activities down to dissatisfaction with government handling of the communist insurgency and the growth of the NPA. Aquino has, however, been taking a hard line on the insurgency, while the NPA has abandoned its urban support centres to the vigilante groups. It may even have contracted in size. In fact the political rather than 'professional' aspirations of the Reform the Armed Forces of the Philippines (RAM) group to which Honasan belonged are well known. The line RAM officers took before and during the overthrow of Marcos was that they were concerned about the politicization of the military. Evidence now suggests that they may have been more concerned about promotion blockages which were frustrating the ambitions of middle-ranking officers like Honasan. These ambitions had their financial side, since the higher-ranking officers had better access to perks, though even officers of Honasan's rank could turn their field commands to advantage - in his case lucrative textile smuggling operations have been alleged (Starner 1986:104). Since the change in government, there has been a sharp reduction in the scope for such perks, while at the same time sections of the civilian elite disadvantaged by Marcos have made something of a comeback. The restoration of civilian control over local government via the system of OICs further reduced the role of the military in civil administration. Thus, precisely those members of the armed forces concerned about their personal prospects under Marcos, have seen these even further eroded under

the Aquino government, and many of them now oppose the new regime. Other problems include the semi-permanent state of high alert the military has been on since February 1986; this has eroded the day-to-day working conditions of almost every soldier and focused attention on the fact that they are there to repel threats to the civilian government by other soldiers as much as to resist the NPA. Controlling the military will continue to be a major problem for Aquino and the potential for collaboration between the civilian Right and disgruntled officers should not be taken lightly.

The Left opposition coalition is likely to prove more durable than its right-wing counterpart in the absence of military action - a reflection of the less opportunistic character of its members and their ideological commitment. A number of factors contributing to the failure of the ANP campaign have already been noted: harassment by OICs and obstruction by other members of local elites, violence used against its campaigners in some areas and lack of money. Around election time there was a suspiciously high level of military activity in many of the ANP's rural support bases. This led to civilian evacuations and disrupted voting in some precincts thus reducing the ANP's vote. It is difficult to gauge the extent to which this harassment was systematically pursued by state organizations, but it certainly manifested itself at many levels. Initially, the Comelec refused to register the PnB as an official party because of what it asserted were its links to the armed communist movement. Aquino herself is also personally antagonistic to the Left opposition because of its refusal to work on her behalf in the anti-Marcos struggle whereas she frequently makes reference, in the manner of *utang na loob* (debt of gratitude), to the 'nice gestures' of those who did support her. For a group with congressional aspirations, the Left has never really recovered from its boycott of the snap election and its opposition, shared with the Right, to ratification of the constitution. This alignment with the Right opposition to Aquino's legitimation measures has been very unpopular. Many people also feel that it is the Right, rather than the Left, which will exploit continuing Leftist confrontation with the Aquino government.

Most of the ANP's leadership blamed the coalition's poor performance on harassment and cheating, but it is clear that the ANP would not have come much closer to winning even in a fairer election. This was recognized by Buscayno who blamed the Left's loss on inexperience and lack of money. The latter was certainly a problem. At 1.2 million pesos, the total ANP campaign budget was a fraction of what any one GAD or administration candidate spent. Lack of funds meant that the ANP was unable to print sufficient leaflets and posters, let alone buy television or radio time. While there was no correlation between election spending and results, the meagre funds available to the ANP will not have aided their cause. The enthusiastic turnouts of mainly youthful supporters at ANP rallies in many provincial urban centres probably generated the impression of much wider ANP support than there really was. Also contributing to this view was some sympathetic print media coverage for the coalition. Among the dailies, *Malaya* and *MidDay* were the strongest supporters, but even *Malaya*, which has a relatively large circulation by Philippine standards, sells only 91,000 copies per day. Of the ANP line-up, only Buscayno and Morales were well-known nationally, but their NPA membership was a dubious electoral asset. The ANP suffered a major loss in mid-1986 with the murder of Rolando Olalia, the KMU leader. Olalia was reputedly a good organizer with a positive public image and there was speculation in the ANP that he was murdered to reduce the legal Left's electoral attraction. Finally, the ANP seems to have been seduced by a fixation with sectoral support bases which led many of its members to overestimate their strength. There were frequent campaign references to the party's urban mass-base in the KMU and to its rural mass-base in the KMP. At one point Beltran suggested that this base could number over 8 million people. If even half this number had supported the ANP, the suppression of their will by the government would necessarily have been on the scale of that employed by Marcos in 1986, and just as obvious to observers. This does not, however, mean that support for the Left is as low as their recorded vote. What is evident is that if the ANP is to improve its performance there will have to be an improvement in the popular acceptance of the Left as a legitimate contender in the election process and alongside this, a change among many more

Filipinos in the way political activities are viewed. Even then, it is unlikely that the Left will be permitted to prosper in the legal arena if it preserves its ideological stance since as things stand this stance threatens the existing power structure. Working inside this structure for its radical change may prove impossible. Many from both the administration and the Left realize this and, for opposite reasons, question the participation of the Left in the legal political programme. The expulsion of moderate members of cabinet in September indicates a shift further to the Right by Aquino.

Conclusion

What kind of national political administration has the Philippines ended up with after the congressional elections? The Philippines now has a reconstructed formal political system very similar to the one which existed prior to martial law. The constitution has allocated strong legislative and appropriation powers to Congress coupled with a US-style presidential veto which Congress can overrule with a two-thirds majority in each house. Aquino must now find sponsors for her legislation before it can be introduced. Although this will not be a problem in itself, capable sponsors will naturally want to play a role in shaping presidential measures before they bring them before the house. It therefore seems likely that the focus of national political activity will move to Congress. Pro and anti administration sides can be expected to develop across the existing party affiliations. It is unclear as to how far Aquino can rely on the congressional support of those who were elected as 'Cory' followers since parties are fluid entities and strong party discipline is unlikely. However, both the Senate president, Jovito Salonga, and the lower house speaker, Ramon Mitra, are close Aquino supporters. Indeed, Aquino persuaded Mitra to run for the lower house rather than the Senate so that he could act for her there. Already, however, both men have had to fight hard to get their choices into the leadership of the important house committees. Policy outcome can be expected to be slow, with duplicated general hearings and committee investigations needed for all legislation.

Policy measures are also likely to be conservative in areas demanding rapid and radical action. Land reform can be expected to have a particularly difficult passage given Aquino's refusal to move much beyond declaring the whole of the Philippines a land reform area before leaving the issue to Congress for substantiation. In her maiden speech to Congress Aquino painted a depressing picture of the problems facing the Philippines. But if Congress shares her view that these problems have been exclusively caused by Marcos's abuses and by external factors, then the structural reforms necessary to redress them are not going to be forthcoming. One of Aquino's final independent executive orders extended the penalty for subversion from six years to life imprisonment and may be an ominous indicator of what lies ahead.

Despite some impressive growth figures, the economic situation is still poor for most people. The population has grown beyond anything that could ever be contained within the old semi-feudal patron-client system described by observers like Landé (1965) and Grossholtz (1964), but already in a state of dissolution at the time they were writing (Machado 1971; Scott and Kerkvliet 1973). Indeed, it was the degradation of this system, economic malaise and rising expectations which provoked the martial law experiment in preserving old structures of privilege via new political forms. Expectations are still high, social distress is more intense, and the old structures of inequality are still there. Now that Aquino is no longer alone on centre stage, people will be looking more critically at the operation of the post-Marcos national political system. If their hopes for a better future continue to be frustrated there is more than one historical tradition to which they can turn in search of a better life.

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INDEX

- Aquino, Benigno**
arrest and imprisonment, 14
assassination, 5,6,7,11,12,13,14-15,16,17
- Aquino, Corazon**
presidential candidacy, 19,20-1,23,25
political platform, 20,60
popularity,15,58,82,95,98,101, 123
electoral support, 20-1,23,26,31,43,58,
68,90
civil disobedience campaign, 21,42,47
attitude to constitutions, 59,70,82
plebiscite campaign, 79-83,97
- Aquino government**
concern with legitimacy, 57, 59-63,69,
73-5,78-9,87,91,95-8,116,135
cronyism, 119,131
counter-insurgency programme, 118,
124,137
factional disputes, 118
and the military, 90,94,98-9,137-8
and the opposition, 59,61,71-4,95
political stability, 70,83,97-8,118
threats to, 89-91,97,117-19
popular support, 68,82,90,95,98,100,101,
117-19
reconstruction measures, 116,119,141
social and economic policies, 119,124
- Armed Forces of the Philippines
(AFP), see also Military, the**
expansion under Marcos, 3,6-7
factionalism, 7,35,37,117
integree, 7,36
Reform the AFP Movement (RAM)
7,22,23,44,47,54,56,89-90
leadership, 35-6,40
role in Marcos's overthrow, 34-43
- Catholic Church, see also Sin, Cardinal
Rufino**
AMRSP, 11,127
CBCP, 11,21,47,80
NCCP, 80,126
radical factions, 10-11,48,126
influence in Philippine society, 48-51
attitude to Marcos's regime, 11,21,50
involvement in Marcos's overthrow
43-53
in support of Aquino, 47,48,80,110
and the constitutional plebiscite, 80
Veritas, 16-23,48,50-1,126
- Commission on Elections (Comelec),
see also Congressional elections 1987;**
- Elections**
powers under Constitution, 91
registration of voters, 92
revamp of, 91-2
credibility under Marcos, 20,91
in the 1987 Congressional elections,
128,130
- Communism, see also Militant
organizations**
Huk Rebellion, 9
anti-Communism, 9,11,12,28,33,118,124,
131,137
and women's organizations, 105
- Congressional elections, 1987**
coalition parties, 119-22
organizational support, 121-3
electoral system, 122,135
and the Left, 121,122,123,129-31,135,
136,138,139-40
and the Right, 122,136,138
and the Catholic Church, 126-7
and Iglesia ni Kristo, 127
the campaign,
the Aquino campaign, 123,127,135
the opposition campaign, 123,124,136
ANP campaign, 125-39
issues, 123-7
and the media, 139
the poll, 127-35
electoral register, 127-8
voting patterns, 132-5
Comelec control, 128-9,130,131
results, 129-35
- Constitution-making**
Constitutional Convention 1934, 62
Constitutional Convention 1971, 66,70
Constitutional Commission 1986, 69-79
appointed, not elected, 70
debates,
sequestration, 75
foreign investment, 75-7
women and the family, 105-11
US bases, 75-6,110
delegates, 71-3,102,105
ideological differences, 72,74
nationalist bloc, 75-7,78,110
opposition to, 74,77
schedule, 77,78
final reading, 78

- Constitutions of the Philippines**, see also *Constitution-making*
 Malolos, 61-3,69
 1935 Constitution, 59-60,64,66,69,91,107
 1973 Constitution, 59,61,107
 Freedom Constitution, 61,78-9, 107
 provisions, 79,83,108-12
 powers of Congress, 140
 presidential term of office, 74,81,83
 Western influence, 62
- Constitutionalism**, see also *Legitimacy*
 relation to legality, 59-60,62,63,65,66,
 68-9,88,97
- Constitutional plebiscite**
 campaign, 79-91
 features, 86-9
 knowledge of Constitution, 88
 Aquino endorsement, 79,82-3
 pro-Constitution, 79-83
 anti-Constitution, 83-6
 and the Catholic Church, 84
 the political Left, 84-7
 the political Right, 83,84,86
 and the local elites, 82,87-8
 the poll, 91-5
 tension and violence, 89-92
 voter turnout, 92-3
 results, 93-5
- Economic conditions**
 decline under Marcos, 3-5,16,18,19,52,
 54,99,141
 foreign investments, 28,60,76,77,78,89,
 124
 foreign aid, 3,4,60
- Elections**, see also *Aquino*,
Corazon; *Marcos*, *Ferdinand*;
Commission on Elections; *Congressional*
Elections 1987;
Constitutional plebiscite; *Political parties*
 pre-martial law, 65
 under Marcos regime, 8,17-18,29,30,91,
 122
 the legal opposition, 8-9
 Batasang Pambansa, 3,8,9,17-18,20,21,
 29,30,59,60,122
 Presidential 1986, 18-22,29-30,31
 US pressure, 12,18,19,29,54,
 campaign, 20-1
 boycott, 2,8,10,17,21,30
 fraud and violence, 2,17,21-2,30-1,67,91,
 92,128-9,138
 NAMFREL monitoring, 17,19,20,93,131
- Elites**, see also *Local government*
 political and ruling, 27,28,41,52,60,61,
 62,63,66,70,96,107
 women in, 107,112
 local, 118,122,129,135,136
- Enrile, Juan Ponce**
 in the Marcos government, 6,7,36,40
 role in Marcos's downfall, 22-5,33,38,
 124,136
 and the RAM coup plot, 22,39,40,41-3,89
 political ambitions, 40
 and Aquino, 56,57,117,124
 in the 1987 Congressional
 elections, 123,124-5,132,136
- Iglesia ni Kristo**, 71, 127
- Labour unions**
 harassment of, 16,17
 strikes and pickets, 16,45,47,89
 KMU, 86,89,119,121,139
- Land reform**, 5,75,125,141
- Laurel, Salvador**, 19,23,24,25,81,118
- Legitimacy**, see also *Aquino*
government; *Marcos regime*;
Constitutionalism
 definition, 58-9
 importance in Philippine politics
 59-62
 and the Constitution, 70,73,96-7,100-101
 performance legitimation, 65,67,99-100
- Local government**
 OICS, 117,118,131,135,136,137,138
- Marcos, Ferdinand**, see also *Marcos*
regime
 proclamation as president, 58
 personal wealth, 4,12,26
 ill health, 7,13,20
- Marcos, Imelda**, 3,6,40
- Marcos regime**, see also *Martial law*
 authoritarianism, 3,7,8,12,13,28,116
 cronies and cronyism, 3-5,14,29,36,43,
 46,47,54,67,118
 economic policies, 3,5
 and the 'technocrats', 4,5,6,46
 power base, 5,6,7,8,36,46,47,48,52,53,54
 legitimation of, 8,29,64-5,67
 human rights abuses, 12,13,35,38,41
 downfall, events leading to, 14-26

- Martial law**
 proclamation, 2-3
 suspension of civil rights, 12-13
 militarization under, 35-7
 constitutionality of, 64-7
- Media, press and broadcast**
 independent press in the Marcos regime, 15,16
Veritas, 16,23
 role in the 1986 elections, 29-31,139
- Middle class, the**
 political mobilization, 15,17,37,47,52,56, 57
- Militant organizations, see also Communism**
Marxist Left
 CPP, 9,50,52,53,54,56,85
 NPA, 9,10,32,35,40,50,92,118,121,126, 133,137
 NDF, 10,17,18,84,85,89,94,95,100,117, 121,138
 BAYAN, 18,74,80,121
 KMU, 12,76,86,119,121
 KMP, 86,90,121
 VPD, 121
Christian Left
 CNL, 10
 PDSP, 10,11
Muslim Left
 MNLF, 9
 cause-oriented groups, 8-9,10,11,76, 80-1,84,103
- Military, the, see also *Armed Forces of the Philippines*;**
Military coup; Ramos, General Fidel;
Enrile, Juan Ponce
 structure, 6,36-7
 corruption and favouritism, 38,40,41
 the Philippine Military Academy, 7,37, 38
 professionalism, 5,6,33,36-7,40,137
 political involvement, 35-8,41-2,43,56, 67,98-9,137
 theoretical and philosophical dimensions, 36-8
- Military coup**
coup d'etat, definition, 42-3
 RAM, 22,24,32,33,34,39,41,89-90
 Honasan, 39,137
 rumours, 89-90
 attempts, 91,99,135,137
- Muslim autonomy, 9,86**
- Nationalism**
 in the Constitutional Commission, 75-7
 in the 1987 Congressional elections, 124
- People's Power**
 and the Marcos downfall, 23-6, 43-53, 54,56
 'power', definition, 44
 as non-violent action
 theoretical and philosophical basis, 44-6,53
 Catholic Church position, 50-1, 56
 as proof of legitimacy, 57,75,116
- Political parties**
 KBL, 8,18,19,59,60,72,83,95,120
 anti-Marcos
 traditional/legal opposition, 8,17
 pro-Aquino
 PDP-Laban, 8,17,119,122,123
 LABAN, 80,119,122,123,132
 UNIDO, 8,17,19,81,122
 CORD, 8,17
 anti-Aquino, Right-wing
 UPP-KBL, 129,132,136
 GAD, 121,124-5,129,132,133,135,136
 Left-wing
 ANP, 121,125-6,131,133,135,138,139
- Ramos, General Fidel, 7,22,23,24,33,34, 36,38,40,41**
- Sin, Cardinal Rufino, see also *Catholic Church*, 11,15,19,23,26,48-51, 126-7**
- Tolentino, Arturo, 19,71,84**
- United States government**
 relationship with Marcos, 5,8,11,12
 pressure for reforms, 17,19,24,28,29, 34,46,54
 interests in the Philippines, 26-8
 and the 1986 elections, 29,30,31,33-4
 attitude concerning Aquino, 30,31,32,33
 role in Marcos downfall, 26-34,46,54
 military bases in the Philippines, 12, 27,32,75,119,124
 concern with Philippine stability, 60, 89,91,98
- Ver, General Fabian**
 influence in the Marcos regime, 6,7, 14,36,38,39

implication in Aquino assassination,
7,18
resignation and reinstatement, 22,40,
41

Women in Philippines

and politics, 102-5

ideological differences, 105
in the Aquino government, 112
suffrage, 102
and the Constitution, 102,105
delegates in the Constitutional
Commission, 102,105

women's issues

family planning, 106-7,110,111
abortion, 108-9
marriage and divorce, 109-10
equal rights, 111

organizations

CAWP, 103
CWP, 103,105-6
anti-Marcos, 103,105
Gabriela, 104-5,106,109,110,111,121

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