CHAPTER 1

INTRODUCTION

Statement of the Problem

Militarization of politics and the proliferation of authoritarian repressive regimes are the most pressing problems confronting the Third World today. For the past several decades, the process of militarization has been on the increase in most of the countries in the world. Militarization of politics has reduced people's participation in the decision-making process to a farce. Most of the regimes in Asia, Africa and Latin America are frankly military juntas and several others are either crisis governments which call the military out of their barracks to meet an emergency or governments that depend mainly on the military and secret police to stay in power, although civilian in appearance.

Militarization keeps a growing number of people under arms, increases military expenditure, threatens the life and security of people, and results in violations of human rights and denial of justice and peace to the people. The suppression of all effective legal opposition parties and
ideologies, the use of threats and of violence as the major means to settle political conflicts, and the enormously increased influence of the military over civilian government, etc., constitute the hall-marks of militarized politics in most Southeast Asian countries. As a result of this, military forces have increased and proliferation of arms and armaments are encouraged. Military officials assumed key civilian government positions. Military value systems dominated the political process. Gross human rights violations and repressions continued; violence legitimised; and freedom of opinion curtailed to safeguard the interest of the authoritarian rulers. Consequently, people are forced to live under a reign of terror and fear. Domination of military values over civilian life result in the dehumanising of people. The dreams of the people for freedom and a better life have been turned into nightmares of dehumanisation.

In the case of the Philippines, the process of militarization had begun even in the pre-martial law years. But the problem became very pronounced and militarization became a potent factor in every sphere of Philippine society when martial law was declared by President Marcos in 1972. Under it, militarization was intensified in order to
protect the interests of the foreign capitalists as well as the big landlords and bureaucrats in the Philippines. The use of the military came to be considered as the most effective solution for political opposition. Repressive measures against the people increased in number, intensity and brutality. This caused systematic violations of human rights in the Philippine society.

Objective of the study

This is a study of militarization and its impact on Human Rights in Southeast Asia, with special reference to the Philippines during the period from 1972 to 1986. In 1972 September President Ferdinand E. Marcos declared martial law in the Philippines and continued in power till, in 1986 February, he was deposed by a popular revolution. A critical examination of Marcos's rule of 14 years is attempted in this study.

The main objective of this study is to

(a) identify the factors that gave rise to the process of militarization in the Southeast Asia generally, and specifically in the Philippines during the period 1972 to 1986, and to bring out the problems arising out of militarization. This study also seeks to examine and
identify the impact of militarization on human rights in the Philippines.

(b) This study further seeks to examine how an authoritarian and repressive regime undermines the democratic process and people's participation in order to remain in power.

(c) Further, this study seeks to portray the experiences of the victims of Human Rights violations in the Philippines.

Defining the problem

(a) Militarism and Militarization

'Militarism' and 'Militarization' have been variously defined. These terms are often used with different connotations in East and West, North and South and by Marxists, liberals, and conservatives. However, most analysts would agree on one point, viz., that this has a malignant and diabolic effect on society and it has now become clearly visible as never before.

'Militarism' is generally used to convey developments paralleling such historical phenomena as Bonapartism, German imperialism, Japanese militarism, etc. Referring to the
above points, Marek Thee comments that these models are inadequate for a deeper understanding and analysis of contemporary militarism, both in the Third World and in the developed countries capitalist and socialist. Militarism is discussed quite often rather as a local or regional issue, while its overall international aspects, its structure, dynamics, mushrooming growth and implications, etc., are very rarely analysed.

Historically, militarism developed as a corollary to ruling and political power. Traditionally, the military's role in serving the interests of the ruling classes is marked by a primary concentration of men and materials on winning specific objectives of power. So, normally, the military's role was limited in scope, confined to one function. Militarism, on the other hand, presents a vast array of customs, interests, prestige, actions and thought associated with armies and wars and yet over-stepping true military purposes. In France, under the Second Empire, the word and the concept of "militarism" arose in the contest of

political struggles. From that time onwards in France, in English usage after 1864, and in German usage after 1870, militarism has connoted a domination of the military man over the civilian, an undue preponderence of military demands, an emphasis on military considerations, spirit, ideals and scales of value, in the life of the state.

In modern times, militarism has become associated mainly with great power politics, imperialism, territorial conquest and war. The material basis for the rise of militarism in modern times was created by the imposition of military conscription by Napoleon and the parallel emergence of large national armies with a well organised professional officer class.

There is no general consensus on the meaning of militarism or militarization. East European countries accuse the west of being militaristic up to the 1940s. East and West were publicly united in their determination to prevent a rebirth of German militarism. The concept of militarism

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3 Ibid.
is explained in varying ways in many standard dictionaries and encyclopedias. The *Oxford English Dictionary* (OED) defines militarism as "the spirit and tendencies characteristic of the professional soldier; the prevalence of military sentiment or ideals among a people; the political condition characterised by the predominance of the military class in government or administration; the tendency to regard military efficiency as the paramount interest of the state". The *Encyclopedia Americana* defines the term as "being applied to the policy of giving exceptional emphasis to military preparedness, exalting military virtues and relying on force in international relations".

A *Shorter Spanish Encyclopedia* writes that "militarism represents the predominance of the military element in the government of the state", whereas the widely used West German * Brocklans* speaks of the term as denoting the "predominence of military forms, thought patterns and objectives in state, politics and society".


Leninistiches Worterbuch der philosophie, on the other hand, sees it as a "reactionary and aggressive system of domination and organisation in social orders based on exploitation in which economic, social and cultural life is subjected to a military clique which views military force and war in particular as the main instrument for the realisation of an aggressive policy." The Sovietskaia Istoricheskaia Encyclopedia describes "militarism as a 'closed system of economics, politics and ideology' resulting in a 'policy of military expansion of the exploiter state with the aim of preparing wars of conquest and of repressing the resistance of the exploited masses within that state'.

While analysing the historical background of modern militarism, Marek Thee says:

The term 'militarism' enjoyed high currency, especially before World War I, in connection with German expansionism, the birth of imperialism and of a labour movement opposed to war. Between the wars, militarism was associated mainly with the dictatorships and rapacious policies of Germany, Italy and Japan. After World War II the focus was still initially on the dangers of a revival of German and Japanese militarism. But soon, with the

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9 Ibid.
10 Ibid.
spread of military regimes in the Third World, attention turned to Asia, Africa and Latin America. This had been accompanied by a shift on conceptual emphasis. From the traditional preoccupation with the expansionist and bellicose aspects of militarism, concern has turned to the internal space - the systemic disruption caused by militarism. Attention has moved to governmental rigidities, repressive measures and the seizure of civil competences by the military.  

While describing the idea and nature of militarism Alfred Vagts argues that

...militarism is not the opposite of pacifism; its true counterpart is civilianism... It covers every system of thinking and valuing and every complex of feelings which rank military institutions and ways above the ways of civilian life, carrying military mentality and modes of acting and decision into the civilian sphere.  

In his study on Militarism: the History of an International debate, V. R. Berghahn has analysed a particular type of militarism which existed in countries that were making transition from an agrarian to an industrial society. Furthermore, this transition took place within the framework of political institutions which were autocratic and oligarchical. In those cases where

11 Ibid.
12 Alfred Vagts, op. cit., p. 17.
representative government and a modern system of interest representation existed, they had not yet firmly established themselves. Germany and Japan in the 19th century and early 20th century offer particularly striking examples of countries experiencing rapid social and economic change which their preindustrial political systems and power-structures found difficult to absorb and accommodate. While this incongruity between economic and political development created instability and tension at home, another marked feature of both countries was that they developed expansionist aspirations aiming at the establishment of formal empires by means of external aggression. Berghahn has quoted Woodrow Wilson's opinion: "Militarism does not consist of any army, nor even of the existence of a very great army. Militarism is a spirit. It is a point of view. It is a purpose. The purpose of militarism is to use armies for aggression." 14

From all these definitions and analysis, militarism can be understood as a dynamic process operating on both national and international levels to mobilize people and resources for organised warfare which acts in such a way as

14 Ibid.
to expand the role of the military over civilian affairs. But this kind of specific characteristics will differ from country to country depending on whether its purpose is to deter invasion or attack, to engage in war with an external or internal foe or to gain prestige and credibility within a system of alliances. Marek Thee has described these subsuming symptoms as:

...a rush to armaments, the growing role of the military (understood as the military establishment) in national and international affairs, the use of force as an instrument of supremacy and political power, and the increasing influence of the military in civilian affairs.¹⁵

Seen from this angle, it could be understand that "militarization is an extension of military influence to civilian spheres, including economic and socio-political life. The impact of 'militarism' and 'militarization', in a disguised or open form, is deeply felt in international relations, and increasingly in the internal life of many nations as well."¹⁶

Glion Consultation (1977) on 'Militarism' suggested the following working description of militarization:

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¹⁵ Marek Thee, op. cit., p. 15.

¹⁶ Ibid.
...militarization should be understood as the process whereby military values, ideology and patterns of behaviour achieve a dominating influence on the political, social, economic and external affairs of the state and as a consequence the structural, ideological and behavioural patterns of both the society and the government are 'militarised'. Militarism should be seen as one of the more perturbing results of this process. 17

Common to these and other definitions of militarism and militarization are the notion of excess, of the growing encroachment of the military over civilian institutions with a concommitant decline in individual freedoms and democratic forms of decision making. So, it has become a dynamic condition characterised by the progressive expansion of the military sphere over civilian life.

Though there is some ambiguity in the uniformity of definitions put forward by different analysts, it is clear that militarism and militarization are closely interrelated. To make it more clear, Jim Zwick proposes a more suitable definition which follows Marek Thee's but includes only certain aspects of military influence over civilian life which result either from direct military intervention in the people's lives and behaviour (arrests, relocations,

indiscriminate warfare, etc.) or indirect structural involvement in political and economic affairs (increasing military expenditures at the expense of civilian needs, military-oriented industries, reliance on military force in internal and external political affairs, etc). Militarization will then denote the spread of military values (discipline and conformity, centralisation of authority, hierarchization, etc.) into the mainstream of national economic and socio-political life. Militarism is distinguished as being of a more material, physical quality (the rush to arms), while militarization is predominantly an ideological orientation, often leading to military leadership of civilian organisations and institutions. In the advanced capitalist countries, militarization manifested itself through the largeness of resources allocated for arms and development of sophisticated new weapons. Whereas, in the developing countries, militarization, was expressed not only in increased defence spending but also in the greater role assumed by the military in civilian affairs in order to control the dissenters and critics of the existing rulers, suppression of trade unionists, peasants, student activists,

and also silencing of intellectuals through coercive measures.

So, the distinction between militarism and militarization is that militarization is a process and militarism is one perturbing result of it.

Militarization is understood in the Philippine context as a pervasive military presence and influence in society. It is the result of an unreasonable growth in size of the armed forces and the recentering of its traditional role from that of protecting the state against external attack and maintaining internal peace and order to being a repressive tool in maintaining an existing unpopular socio-political order.

An insidious effect of the process of militarization is the general deterioration of human rights. A gross violation of human rights takes place continuously in the societies that have moved to authoritarianism and militarization. Usually these repressive - militarized regimes are justified on 'national security' considerations and as ensuring a congenial atmosphere for 'development'. Human rights come to be violated very frequently and in a more systematic way. This includes the rampant violation of the right to life and
security of persons, the prevalence of killings, extra-judicial executions or "salvaging", torture and detention without charge, massacre of civilians, forced evacuation, restriction of trade union activities, military harassment and suppression of dissent.

Now militarization has become a system of thought and attitudes that places military institutions above civilian decision making processes.

(b) Human Rights and Humanitarian Law

Human Rights as a normative entitlement have largely come to be recognised as a common heritage of humankind. So Human Rights are the sum total of all rights necessary to ensure the basic humanity of every and all persons. When we speak of the humanity of men and women, one doesn't merely refer to civil or political wellbeing, but one has to think of the totality of all rights essential for the fulfilment of one as a human being.

Several human rights instruments have come into being since 1948 to protect and promote human rights. Among these, Universal Declaration of Human Rights declared by United Nations in 1948 is the most important one. The UDHR was the first catalogue of Human Rights to win universal acceptance.
The UDHR enumerates fundamental human rights, civil and political rights, social and economic rights and cultural rights.

Human Rights can be divided into two broad groups: civil and political rights, which concern people's right to fair and equal treatment, to justice and political freedom, and to protection from abuses of power; and social, economic and cultural rights, which concern the right to an adequate standard of living, to freedom from hunger and to health and education. Civil, political, economic, social and cultural rights which make up the totality of human rights are so closely intertwined that the absence of one negates the presence of the others. One is not genuinely and fully human unless one enjoys and exercises all his or her rights. The intrinsic relationship or interaction of these rights was perhaps best expressed by the late Jose W. Diokno, former senator and a human rights advocate in the Philippines. He said, "We cannot enjoy civil and political rights unless we enjoy economic, cultural and social rights, anymore than we can insure our economic, social and cultural rights, unless we can exercise our civil and political rights".19

rights should, therefore, be seen collectively as, in the words of the preamble to the Universal Declaration of Human Rights, 'the foundation of freedom, justice and peace in the world'.

Though, the Universal Declaration of Human Rights formulated 'human rights' in general terms, its message is unmistakable and internationally recognized in a large body of treaties, declarations and covenants. The right to life, liberty and security, equality without discrimination, the right to not to be subjected to torture or to cruel, inhuman and degrading treatment or punishment, the right to freedom of thought, opinion and expression, the right to an adequate standard of living, the right of everyone to education, right to own property, right to marry, right to peaceful assembly and association, right to work, right to form trade unions, social security, etc., are contained in this International Bill of Human Rights.

Ron O'Grady suggests that Human Rights must be understood in terms of relationships. Rights define the proper relationship between an individual and his community or between a group of people and their community.20 These

rights are not an individual matter, applying only to one person or group of persons in isolation. They must be seen in relation to the whole community. It is a responsibility of human society to create those conditions of living in which human rights are protected. Gross violation of the rights of any individual or group is, by inference, a violation of the rights of all people. To ignore or to condone individual actions which violate human rights is to invite a situation in which dehumanising events can escalate and destroy a whole society. A threat to a part of the human race is an inherent threat to the whole human race.

Jose Zalaquett, a Chilean lawyer with extensive practical and academic experience in the area of human rights stated:

"...growing interdependence and the communication revolution have raised to world awareness the fact that we are one human community - a tentative conflicting and seemingly non-viable one, but in the end a community. Any community that becomes aware of its existence starts formulating basic values by which to guide itself. Seen in this light, the UDHR and other human rights instruments contribute the first attempt on the part of the community of nations to build up a system of values of universal acceptance."  

However, for the last several decades voices were increasingly heard throughout the world invoking human rights to denounce situations of foreign interventions or repression and to demand justice and peace. International attention was stimulated by a number of events in the world, such as world opinion on questions of self-determination of people, the emergence of authoritarian repressive regimes, the proliferation of military governments, etc., in various countries in the Third World. These issues caused voices to be raised in defense of human rights and marked a new stage in the rise of international interest in human rights issues.

**Humanitarian law** is humanitarian principles applied in armed conflicts, and is concerned with the rights and duties of soldiers, belligerents and civilians. Humanitarian law has two branches—the law of human rights and the law of war. Both branches contain important provisions for the protection of those whose rights are openly flouted. The laws regulating warfare demand that the suffering inflicted by the belligerents shall not be disproportionate to the object of the war, which is to weaken and destroy the military power of the enemy. The Hague Convention of 1899 and 1907 specify the rights and duties of belligerents, and
although they are extremely outdated, they are still law. They forbid, for example, the treacherous killing of individuals, the killing or wounding of an enemy who has surrendered, the use of arms or the attack of undefended towns and villages.

The Geneva Convention of 1949 was drawn up for the protection of the individual in time of war. The ravages of the second world war had left the world stunned. While the first world war had killed ten million people, of whom half a million were civilians, the second world war killed 50 million, of whom 24 million were civilians.

The four Conventions which form the Geneva Code were ratified by the Philippine government in 1952. The conventions deal with the condition of the wounded and sick in the armed forces in the field and at sea, the treatment of prisoners of war and the protection of civilian population in time of war. Of course the conventions were envisaged for 'wars' and not for domestic conflicts, but as it turned out, it was domestic conflicts which proliferated. The traditional view in domestic conflicts was that rebels were not entitled to humanitarian treatment. The Red Cross involvement in the Spanish Civil War of 1936-39 led to the idea of introducing into the Geneva Conventions a provision
under which a purely national situation also would be subject to International law.

According to the Geneva Code, persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those who are hors de combat for any other reason, will in all circumstances be treated humanely. Any acts such as: (a) violence to life and person, in particular, murder, mutilation, cruel treatment and torture; (b) taking of hostages; (c) outrages upon personal dignity, in particular, humiliating and degrading treatment; and (d) the passing of sentences and carrying out of executions without previous judgement pronounced by a regularly constituted court which affords all the judicial guarantees recognised as indispensable by civilised peoples.

In the light of these acts, any such actions committed by the armed forces against surrendered or defenceless rebels are, therefore, unlawful. The rights contained in these instruments of humanitarian law are those rights which customary international law now recognizes as the essential and basic rights of every individual.

The inter-relationship between militarization, human rights and humanitarian law are apparent in many fields.
However, the following spheres of human rights are particularly affected by militarization (a) basic civil and political rights and (b) economic, social and cultural rights. Civil and political rights are usually the first victims of militarization. Violation of economic, social and cultural rights generally follows the denial of civil and political rights.

Since the law of human rights is humanitarian law as it applies to individuals, the process of militarization generally violates international humanitarian law regarding the right of combatants.

Conceptual framework

The concept upon which this study based is that militarization invariably leads to violation of human rights. Under an authoritarian form of Government where military control politics there will arise a situation where the military will form an instrument of coercion facilitating the creation of a climate conducive to the continuance of authoritarianism. The military will be used to suppress people’s movements demanding basic human rights.

Hypothesis

This study is based on the hypothesis that
Militarization leads to violation of basic human rights. In the Philippines, since the declaration of martial law in 1972, the military became so big and powerful as to be out of control. It was made that way by the regime in order to enable itself to continue in power. This phenomenon resulted in massive militarization and subjugation of human rights. The military was used to suppress the popular movements which sought to express support for basic human rights. These suppressions were justified on the plea of "law and order" and "security" of the country. This created a situation in the Philippines, which was comfortable to foreign investors and local partners of multinational corporations. The rural based insurgency could not have expanded and grown without the support of the marginalised rural folks of Philippine society. The authoritarian rule of President Ferdinand E. Marcos failed to implement a genuine land reform which the majority of the Filipinos were longing for over the last several decades. The growing discontent among the Filipino peasantry caused them to support the insurgents. The military was used to suppress the insurgency and this resulted in large scale counter-insurgency operations and also human rights violations.
Limitations of the study

1. This study is intended to bring out the impact of militarization on Human Rights. The situation in the Philippines during the period from 1972 to 1986 is taken to show this interconnection between militarization and human rights violations. Although this study is not designed to bring out the complete picture of militarization in Southeast Asia, the Southeast Asian situation is taken as a general base for analysing the nature of militarization and its impact on human rights in the Philippines during the period under review.

2. The interview method could not be employed in its full scope on account of the inherent sensitivity of the issue of militarization. The people interviewed did not feel free to open up their minds in several cases on account of the political climate under which they lived.

The military officials who were approached for interview did not respond favourably in most cases. However, the responses of the Manila based military officials were sufficient to understand the structure and role of the military during the martial law period.
Organisation of the thesis

Chapter 1, the introduction of the study, contains statements of the problem, and the objectives of the study, defines the problem, and limitations of the study, and the hypothesis of the study. Chapter II analyses militarization of politics. Chapter III presents militarization in Southeast Asia. Chapter IV is on Militarization in the Philippines. This deals with the historical foundations of militarization in the Philippines and the working out of militarization till the end of the Marcos era. This chapter has also covered role of the Armed Forces, structure of the Armed Forces, institutionalisation of martial law, national security syndrome perpetuated in Philippine society, etc. Chapter V describes various factors which contributed to the increase of militarization in the Philippines. Chapter VI presents the impact of militarization on human rights in the Philippines. Chapter VII is devoted to the findings of case studies on victims of militarization in the Philippines. Chapter VIII gives the summary and conclusion of this study.
CHAPTER II

MILITARIZATION OF POLITICS: ANALYTICAL FRAMEWORK

1. Traditional Role of Military

The military is the main armed wing of a state. It is a part of society's political structure and an instrument of the policy pursued by the ruling classes in regard to internal and external affairs. The organised setting up of the military started when the state emerged.

Although it is impossible to determine precisely when and how the state system emerged, it is undeniable that force was a positive factor in bringing it about. The military came into being, among other things, to maintain internal peace and order and protecting the state from external dangers. This coercive power, the power to enforce decision, was employed by the state in the performance of its functions. Thus, naturally, these police functions of the state necessitated the maintenance of a machinery capable of achieving this end. It is in this context that the army began to play its role in politics in traditional society.