

Editorial

Rule of Law murdered in Manila

Not President Ferdinand Marcos, but the hallowed idea of the Rule of Law, was murdered by the U.S. State Department's disgraceful intervention in the Philippines, last month. Mrs. Corazon Aquino, now attempting to measure up to the responsibilities of office, is herself painfully discovering this dread truth. The implications of the State Department's criminal act, for the future of political institutions around the world, especially in the Third World, are menacing.

What are the facts? The chief American operative in Manila, former ambassador William Sullivan, ruled that "the facts are irrelevant." However, these facts exist.

Fact: No official or unofficial body, Filipino or American, loyalist or opposition, has yet presented any substantive evidence—let alone proof—either that Corazon Aquino won the election, or that President Marcos's side committed election fraud on any meaningful scale.

Fact: According to the law, the elected parliament of the Philippines, invested with the sole legal authority to determine who is the winner of a presidential election, proclaimed Ferdinand Marcos the winner.

Fact: The United States government, both the State Department and the President through his designated representative, asked President Ferdinand Marcos to leave office "in order to avoid bloodshed."

Fact: According to Filipino law, Ferdinand Marcos, ignoring American advice, took his constitutionally mandated oath of office as President on Feb. 17, 1986, and was subsequently forced by United States military threats to leave the country.

Fact: Ferdinand Marcos has not abdicated his office which, according to the still existing Filipino Constitution, runs until 1992.

Fact: In the first two weeks of its existence, Mrs. Aquino's government had failed to identify the basis of law from which it derives its legitimacy: constitutional or revolutionary. During these two weeks, the unity of

the anti-Marcos coalition disintegrated, as the object of this unity, Mr. Marcos's power, disappeared under the blows of American military threats.

Conclusion: The American intervention in the Philippines, in complete disregard of the facts and of existing laws, created a situation in which the rule of law in that Pacific nation has been eclipsed, and its prospects of returning are diminishing each day.

Finally, Mrs. Aquino selected as her claim to legality "revolutionary right," and not the Constitution, and thus severed her relations with the existing, elected parliament. At the same time, prompted by her vice-president, Salvador Laurel, her government announced that it will draft a new Constitution and submit it to a plebiscite in the next hundred days. General elections for all elected offices are promised to take place soon after the new Constitution is approved in the scheduled plebiscite.

These one hundred days ahead, we fear, shall be very perilous, not only for the Philippines and its people, but also for the very idea of government by law around the world. Our fear derives from what we know the intentions of the State Department, and its agents and collaborators, to be.

As we warned repeatedly in the past, since the heady days of Henry Kissinger's tenure as secretary of state, a growing clique inside the State Department has dedicated its policies to the grandiose objective of wiping from the face of the Earth the traditional institution of the nation-state in all its forms, but especially the form of the democratic republic. The State Department, with George Shultz at its helm, is convinced that the administrative efficiency and profitability of the supranational corporations are more appropriate forms of government than nation-state governments, which are variously slandered as "corrupt," "inefficient," "dictatorial," etc. Mrs. Aquino will soon realize that her friends' and temporary allies' target was not Ferdinand Marcos, but the office of the presidency of the Filipino Republic.