

Martial law

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Martial law is the imposition of the highest-ranking military officer as the military governor or as the head of the government, thus removing all power from the previous executive, legislative, and judicial branches of government.^[1] It is usually imposed temporarily when the government or civilian authorities fail to function effectively (e.g., maintain order and security, or provide essential services).

Martial law can be used by governments to enforce their rule over the public. Such incidents may occur after a coup d'état (such as Thailand in 2006 and 2014); when threatened by popular protest (China, Tiananmen Square protests of 1989, 2009's Iranian Green Movement that led to take over by Revolutionary Guards); to suppress political opposition (Poland in 1981); or to stabilize insurrections or perceived insurrections (Canada, The October Crisis of 1970). Martial law may be declared in cases of major natural disasters; however, most countries use a different legal construct, such as a state of emergency.

Martial law has also been imposed during conflicts, and in cases of occupations, where the absence of any other civil government provides for an unstable population. Examples of this form of military rule include post World War II reconstruction in Germany and Japan as well as the Southern Reconstruction following the U.S. Civil War.

Typically, the imposition of martial law accompanies curfews; the suspension of civil law, civil rights, and habeas corpus; and the application or extension of military law or military justice to civilians. Civilians defying martial law may be subjected to military tribunal (court-martial).



Dunmore's Proclamation declaring Martial law in the Colony of Virginia, proclaimed November 14, 1775, several months after the beginning of the American Revolutionary War

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By country

Australia

The Black War was a period of violent conflict between British colonists and Aboriginal Australians in Tasmania from the mid-1820s to 1832. With an escalation of violence in the late 1820s, Lieutenant-Governor George Arthur declared martial law in November 1828—effectively providing legal immunity for killing Aboriginal people. It would remain in force for more than three years, the longest period of martial law in Australian history.

Brunei

Brunei has been under a martial law since a rebellion occurred on 8 December 1962 known as the Brunei Revolt and was put down by British troops from Singapore. The Sultan of Brunei, Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah, is presently the head of state and also the Minister of Defense and Commander in Chief of Royal Brunei Armed Forces

Canada

The War Measures Act was a Canadian statute that allowed the government to assume sweeping emergency powers, stopping short of martial law, i.e. the military does not administer justice, which remains in the hands of the courts. The Act has been invoked three times: During World War I, World War II, and the October Crisis of 1970. In 1988, the War Measures Act was replaced by the Emergencies Act.

Prior to 1837, martial law was proclaimed and applied in the territory of the Province of Quebec during the invasion of Canada by the army of the American Continental Congress in 1775–1776.

It was also applied twice in the territory of Lower Canada during the 1837–1838 insurrections. On December 5, following the events of November 1837, martial law was proclaimed in the district of Montréal by Governor Gosford, without the support of the Legislative Assembly in the Parliament of Lower Canada. It was imposed until April 27, 1838. Martial law was proclaimed a second time on November 4, 1838, this time by acting Governor John Colborne, and was applied in the district of Montreal until August 24, 1839.^[2]

China

Egypt

In Egypt, a State of Emergency has been in effect almost continuously since 1967. Following the assassination of President Anwar el-Sadat in 1981, state of emergency was declared. Egypt has been under state of emergency ever since; the Parliament has renewed the emergency laws every three years since they were imposed. The legislation was extended in 2003 and were due to expire at the end of May 2006; plans were in place to replace it with new anti-terrorism laws. But after the Dahab bombings in April of that year, state of emergency was renewed for another two years.^{[3][4]} In May 2008 there was a further extension to June 2010.^[5] In May 2010, the state of emergency was further extended, albeit with a promise from the government to be applied only to 'Terrorism and Drugs' suspects.

A State of Emergency gives military courts the power to try civilians and allows the government to detain for renewable 45-day periods and without court orders anyone deemed to be threatening state security. Public demonstrations are banned under the legislation. On 10 February 2011, the ex-president of Egypt, Hosni Mubarak, promised the deletion of the relevant constitutional article that gives legitimacy to State of Emergency in an attempt to please the mass number of protesters that demanded him to resign. On 11 February 2011, the president stepped down and the vice president Omar Suleiman de facto introduced the country to martial law when transferring all civilian powers from the presidential institution to the



Martial law in Egypt: Egyptian-flagged tanks man an apparent checkpoint just outside the midtown Tahrir area during the 2011 Egyptian revolution.

military institution. It meant that the presidential executive powers, the parliamentary legislative powers and the judicial powers all transferred directly into the military system which may delegate powers back and forth to any civilian institution within its territory.

Under martial law the source of power is not the people, not the parliament, not the constitution, not a Holy Text, but solely the Supreme Council of the Armed Forces. The military issued in its third announcement the "end of the State of Emergency as soon as order is restored in Egypt". Before martial law, the Egyptian parliament under the constitution had the civilian power to declare a State of Emergency. When in martial law, the military gained all powers of the state, including to dissolve the parliament and suspend the constitution as it did in its fifth announcement. Under martial law, the only legal framework within the Egyptian territory is the numbered announcements from the military. These announcements could for instance order any civilian laws to come back into force. The military announcements (communiques) are the de facto only current constitution and legal framework for the Egyptian territory. It means that all affairs of the state are bound by the Geneva Conventions.

Iran

The most recent incidence of military take over that was rather subtle and implicit took place to suppress The Iranian Green Movement (Persian: جنبش سبز ایران), a political movement that arose after the 2009 Iranian presidential election, in which protesters demanded the removal of Mahmoud Ahmadinejad from office. Since Mahmoud Ahmadinejad was a de facto appointee of the Supreme Leader Ali Khameneyi, rather than a legitimately elected official by the public, and the fact that Supreme Leader's own legitimacy was at a significant risk, he ordered his Revolutionary Guards to take the state of affairs in their military hands in order to contain the widespread opposition from almost all political factions, college campuses, labor unions, and the general public. Upon the full blown military take over The Green Movement was eventually contained in a very brutal and bloody fashion. The action followed by a prolong period of censorship of the media, blockage of Internet and other communication channels and TV satellites, and the widespread arrests and prosecutions of opposition leaders and a large number of political and civil activists in Iran. In the aftermath of the Movement's suppression by the regime's Revolutionary Guards, President Obama has been frequently blamed for lack of action and support of one of the most significant liberation movements that had the potential to liberate Iran from a 4-decade long theocratic dictatorship that is well known as the major cause of instability in the Middle East.^{[6][7][8]}

Another classic case of a full-blown martial law in recent history took place in Iran in 1978. On September 7, Shah of Iran, Mohammad Reza Pahlavi, appointed the chief of army staff, General Gholam Ali Oveisi as the military governor of the capital city, Tehran.^[9] The army divisions took position in key locations in the city. (Martial law was also declared in some other cities.) On September 8, the army opened fire on protesters, killing somewhere from 300 to 4000 (estimates vary). The day is often referred to as Black Friday. Unable to control the unrest, Shah dissolved the civil government headed by Prime Minister Jafar Sharif-Emami on November 6, and appointed General Gholam Reza Azhari as the prime minister. Azhari's military government also failed to bring order to the country. As a last-ditch effort, as he was preparing to leave the country, Shah dissolved the military government and appointed Shapour Bakhtiar, a reformist critic of his rule, as the new prime minister on January 4, 1979. Bakhtiar's government fell on February 11, and with it, the history of over two thousand years of monarchy in Iran came to an end.^[9]

Ireland

In 1916 during the Easter Rising, Lord Wimborne the Lord Lieutenant of Ireland, declared martial law to maintain order in the streets of Dublin. This was later extended both in duration and geographical reach to the whole of the country with the consent of the British government. Much of Ireland was declared under martial law by the British authorities during the Irish War of Independence. A large portion of Ireland was also under de facto martial law during the Irish Civil War.

The current Irish Constitution allows for martial law if the parliament declares a state of emergency, however capital punishment is prohibited in all circumstances, including a state of emergency.

Israel

Military administrative government was in effect from 1949 to 1966 over some geographical areas of Israel having large Arab populations, primarily the Negev, Galilee, and the Triangle. The residents of these areas were subject to a number of controlling measures that amounted to martial law.^{[10][11]} The Israeli army enforced strict residency rules. Any Arab not registered in a census taken during November 1948 was deported.^[12] Permits from the military governor had to be procured to travel more than a given distance from a person's registered place of residence, and curfew, administrative detentions, and expulsions were common.^[10] Although the military administration was officially for geographical areas, and not people, its restrictions were seldom enforced on the Jewish residents of these areas. In the 1950s, martial law ceased to be in effect for those Arab citizens living in predominantly Jewish cities, but remained in place in all Arab localities within Israel until 1966.

Following the 1967 war, in which the Israeli army captured the West Bank and Gaza Strip, a military administration over the Palestinian population was put in place.

During the 2006 Lebanon war, martial law was declared by Defense Minister Amir Peretz over the north of the country. The Israel Defense Forces were granted the authority to issue instructions to civilians, and to close down offices, schools, camps and factories in cities considered under threat of attack, as well as to impose curfews on cities in the north.^[13]

Instructions of the Home Front Command are obligatory under martial law, rather than merely recommended.^[13] The order signed by Peretz was in effect for 48 hours^[13] and was extended by the Cabinet and the Knesset Foreign Affairs and Defense Committee over the war's duration.

Mauritius

Mauritius is known as being a "Westminster" style of democracy but a peculiar system that was imposed in Mauritius during a period of civil unrest in 1968 as an emergency measure, has never been repealed and is still used by the police force there to this day.^[14] The system, which has no apparent foundation in the constitution of Mauritius, enables the police to arrest without having to demonstrate reasonable suspicion that a crime has been carried out but simply on the submission of "provisional information" to

the magistrate. The accused is then placed on remand or bail and required to report to the police or the court on a regular basis, sometimes every day. There are examples of this system being used to intimidate or coerce individuals in civil litigations.^[15]

Pakistan

Martial law was declared in Pakistan On 7 October 1958, President Iskander Mirza declared Martial Law and appointed General Muhammad Ayub Khan as the Chief Martial Law Administrator and Aziz Ahmad as Secretary General and Deputy Chief Martial Law Administrator. However, three weeks later General Ayub—who had been openly questioning the authority of the government before the imposition of martial law—deposed Iskandar Mirza on 27 October 1958 and assumed the presidency that practically formalized the militarization of the political system in Pakistan. Four years later a new document, Constitution of 1962, was adopted. The second martial law was imposed on 25 March 1969, when President Ayub Khan abrogated the Constitution of 1962 and handed over power to the Army Commander-in-Chief, General Agha Mohammad Yahya Khan. On assuming the presidency, General Yahya Khan acceded to popular demands by abolishing the one-unit system in West Pakistan and ordered general elections on the principle of one man one vote.

The third was imposed by Zulfikar Ali Bhutto, the first civilian to hold this post in Pakistan after the Bangladesh Liberation War. On 21 December 1971, Bhutto took this post as well as that of President.^[16]

The fourth was imposed by the General Muhammad Zia-ul-Haq on 5 July 1977. After several tumultuous years, which witnessed the secession of East Pakistan, politician Zulfikar Ali Bhutto took over in 1971 as the first civilian martial law administrator in recent history, imposing selective martial law in areas hostile to his rule, such as the country's largest province, Balochistan. Following widespread civil disorder, General Zia overthrew Bhutto and imposed martial law in its totality on July 5, 1977, in a bloodless coup d'état. Unstable areas were brought under control through indirect military action, such as Balochistan under Martial Law Governor, General Rahimuddin Khan. Civilian government resumed in 1988 following General Zia's death in an aircraft crash.

On October 12, 1999, the government of Prime Minister Nawaz Sharif was dissolved, and the Army took control once more. But no martial law was imposed. General Pervez Musharraf took the title of Chief Executive until the President of Pakistan Rafiq Tarar resigned and General Musharraf became president. Elections were held in October 2002 and Mir Zafarullah Khan Jamali became Prime Minister of Pakistan. Jamali premiership was followed by Chaudhry Shujaat Hussain and Shaukat Aziz. While the government was supposed to be run by the elected prime minister, there was a common understanding that important decisions were made by the President General Musharraf.

On November 3, 2007, President General Musharraf declared the state of emergency in the country which is claimed to be equivalent to the state of martial law as the constitution of Pakistan of 1973 was suspended, and the Chief Justices of the Supreme Court were fired.

On November 12, 2007, Musharraf issued some amendments in the Military Act, which gave the armed forces some additional powers.

Philippines

During the Second World War, President José P. Laurel placed the Philippines (then a client state of Imperial Japan) under martial law via Proclamation № 29, dated 21 September 1944 and enforced the following day at 09:00 PST. Proclamation № 30 was issued on 23 September, declaring the existence of a state of war between the Philippines and the United States and the United Kingdom, effective 10:00 that day.

The country was under martial law again from 1972 to 1981 under the authoritarian rule of Ferdinand Marcos. Proclamation № 1081 ("Proclaiming a State of Martial Law in the Philippines") was signed on 21 September 1972 and came into force on 22 September. The official reason behind the declaration was to suppress increasing civil strife and the threat of a communist takeover, particularly after a series of bombings (including the Plaza Miranda Incident) and an assassination attempt on Defense Minister Juan Ponce Enrile in Mandaluyong.

The policy of martial law was initially well-received, but it eventually proved unpopular as the military's human rights abuses (use of torture in intelligence gathering, forced disappearances), along with the decadence and excess of Marcos allies, had emerged. Coupled with economic downturns, these factors fermented dissent in various sectors (e.g. the urban middle class) that crystallised with the assassination of jailed oppositionist senator Benigno Aquino, Jr. in 1983, and widespread fraud in the 1986 snap elections. These eventually led to the 1986 People Power Revolution that ousted Marcos and forced him into exile in Hawaii where he died in 1989; his rival presidential candidate and Aquino's widow, Corazon, was installed as his successor.

During this 9-year period, curfews were implemented as a safety measure. Majority of radio and television networks were suspended. Journalists who were accused of speaking against the government were taken as political prisoners, some of them to be physically abused and tortured by the authorities.

Others have stated that the implementation of Martial Law was taken advantage by the Marcos regime. Billion pesos worth of property and ill-gotten wealth was said to be acquired by Marcos' wife, Imelda Marcos. This alleged money laundering issue was brought back recently, particularly in the *PiliPinas Debates 2016* for the recently-held Philippine Presidential Elections on May 9, 2016. Ferdinand "Bongbong" Marcos, Jr., Marcos' son, ran for Vice President and lost.

There were rumours that President Gloria Macapagal-Arroyo was planning to impose martial law to end military *coup d'état* plots, general civilian dissatisfaction, and criticism of her legitimacy arising from the dubious results of the 2004 presidential elections. Instead, a State of National Emergency was imposed in 2006 from 24 February to 3 March, in order to quash a coup attempt and quell protesters.

On 4 December 2009, President Arroyo officially placed the Province of Maguindanao under a state of martial law through Proclamation № 1959.^[17] As with the last imposition, the declaration suspended the writ of habeas corpus in the province.^[18] The announcement came days after hundreds of government troops were sent to the province to raid the armories of the powerful Ampatuan clan. The Ampatuans were implicated in the massacre of 58 persons, including women from the rival Mangudadatu clan, human rights lawyers, and 31 media workers. Cited as one of the bloodiest incidents of political violence in Philippine history, the massacre was condemned worldwide as the worst loss of life of media professionals in one day.^[17]

Poland

Martial law was introduced in Communist Poland on December 13, 1981 by Generals Czesław Kiszczak and Wojciech Jaruzelski to prevent democratic opposition from gaining popularity and political power in the country. Thousands of people linked to democratic opposition, including Lech Wałęsa, were arbitrarily arrested and detained. About 100 deaths are attributed to the martial law, including 9 miners shot by the police during the pacification of striking Wujek Coal Mine. The martial law was lifted July 22, 1983. Polish society is divided in opinion on the necessity of introduction of the martial law, which is viewed by some as a lesser evil compared to alleged Soviet military intervention. The generals' trials are still in progress more than 30 years after.

South Korea

In October 1946, United States Army Military Government in Korea declared martial law as a result of the Daegu Riot.^[19] On November 17, 1948, President Syngman Rhee regime proclaimed a martial law in order to quell the Jeju Uprising.^[20] On April 19, 1960 Syngman Rhee government proclaimed a martial law in order to suppress the April Revolution.^[21]

Switzerland

There are no provisions for martial law as such in Switzerland. Under the *Army Law* of 1995,^[22] the Army can be called upon by cantonal (state) authorities for assistance (*Assistenzdienst*). This regularly happens in the case of natural disasters or special protection requirements (e.g., for the World Economic Forum in Davos). This assistance generally requires parliamentary authorization, though, and takes place in the regular legal framework and under the civilian leadership of the cantonal authorities. On the other hand, the federal authorities are authorized to use the Army to enforce law and order when the Cantons no longer can or want to do so (*Ordnungsdienst*). With this came many significant points of reference. This power largely fell into disuse after World War II. *See [4]* (<http://www.admin.ch/cp/d/1997Jan29.105055.7098@idz.bfi.admin.ch.html>).

Taiwan

Following World War II, the allied forces asked the Republic of China to temporarily administer Taiwan given the impending withdrawal of Japanese forces and colonial government. Martial law was declared in 1949 despite the democracy promised in the Constitution of the Republic of China (the Republic of China refused to implement the constitution on Taiwan until after 1949). After the Nationalist-led Republic of China government lost control of China to the Communist Party of China and retreated to Taiwan in 1949, the perceived need to suppress Communist activities in Taiwan was utilised as a rationale for not lifting martial law until thirty-eight years later in 1987, just prior to the death of then President Chiang Ching-kuo.

Today, still present martial law systems like in Syria (since the 1963 Syrian coup d'état) or in the West Bank (since the 1967 Six-Day War with Israel) have surpassed Taiwan as longer ranging periods of active martial law.

Thailand

Martial law in Thailand derives statutory authority from the Act promulgated by King Vajiravudh following the abortive Palace Revolt of 1912, entitled **Martial Law, B.E. 2457 (1914)**. Many coups have been attempted or succeeded since then, but the Act governing martial law, amended in 1942, 1944, 1959 and 1972, has remained essentially the same.^[23] In January 2004, the Prime Minister of Thailand, Thaksin Shinawatra, declared a state of martial law in the provinces of Pattani, Yala, and Narathiwat in response to the growing South Thailand insurgency. On September 19, 2006, Thailand's army declared martial law following a bloodless military coup in the Thai capital of Bangkok, declared while Prime Minister Shinawatra was in New York City to address the United Nations General Assembly. General Sonthi Boonyaratglin took the control of the government, and soon after handed the premiership to ex-Army Chief General Surayud. Sonthi himself is Chief of the Administrative Reform Council. At 3 am, on May 20, 2014, following seven months of civil and political unrest, Army Commander-in-Chief Gen.Prayuth Chan-ocha, declared martial law nationwide.^{[24][25]}

Turkey

Since the foundation of the Republic of Turkey in 1923 the military conducted three coups d'état and announced martial law. Martial law between 1978 and 1983 was replaced by a State of emergency in a limited number of provinces that lasted until November 2002. On July 15, 2016 a section of the military in Turkey attempted a coup(failed) and said to have implied martial law in a broadcast on their national television TRT.^[26]

SFR Yugoslavia

During the Yugoslav Wars in 1991, a "State of Direct War Threat" was declared. Although forces from the whole SFRY were included in this conflict, martial law was never announced, but after secession, Croatia and Bosnia and Herzegovina declared martial law. On March 23, 1999, a "State of Direct War Threat" was declared in Yugoslavia, following the possibility of NATO air-strikes. The day after strikes began, martial law was declared, which lasted until June 1999, although strikes ended on June 10, following Kumanovo Treaty.

United States

The martial law concept in the United States is closely tied with the right of *habeas corpus*, which is in essence the right to a hearing on lawful imprisonment, or more broadly, the supervision of law enforcement by the judiciary. The ability to suspend *habeas corpus* is related to the imposition of martial law.^[27] Article 1, Section 9 of the US Constitution states, "The Privilege of the Writ of *Habeas Corpus* shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it."

In United States law, martial law is limited by several court decisions that were handed down between the American Civil War and World War II. In 1878, Congress passed the Posse Comitatus Act, which forbids military involvement in domestic law enforcement without congressional approval.

History

Throughout United States history are several examples of the imposition of martial law, aside from that during the Civil War.

There have been many instances of the use of the military within the borders of the United States, such as during the Whiskey Rebellion and in the South during the civil rights crises, but these acts are not tantamount to a declaration of martial law. The distinction must be made as clear as that between martial law and military justice: deployment of troops does not necessarily mean that the civil courts cannot function, and that is one of the keys, as the Supreme Court noted, to martial law.

The American Revolution

As a result of the Boston Tea Party, Parliament passed the Massachusetts Government Act, one of the Intolerable Acts, which suppressed town meetings and assemblies, and imposed appointed government, tantamount to martial law.^{[28][29][30]}

New Orleans, Louisiana in the War of 1812

During the War of 1812, US General Andrew Jackson imposed martial law in New Orleans, Louisiana before repulsing the British in the Battle of New Orleans.^{[31][32][33]} Martial law was also imposed in a four-mile radius around the vicinity. When word came of the end of the war, Jackson maintained martial law, contending that he had not gotten official word of the peace. A judge demanded *habeas corpus* for a man arrested for sedition. Rather than comply with the writ, Jackson had the judge arrested.

Ex parte Milligan

On September 15, 1863 President Lincoln imposed Congressionally authorized martial law.^[34] The authorizing act allowed the President to suspend *habeas corpus* throughout the entire United States (which he had already done under his own authority on April 27, 1861). Lincoln imposed the suspension on "prisoners of war, spies, or aiders and abettors of the enemy," as well as on other classes of people, such as draft dodgers. The President's proclamation was challenged in *Ex parte Milligan*, 71 US 2 [1866]. The Supreme Court ruled that Lincoln's imposition of martial law (by way of suspension of *habeas corpus*) was unconstitutional in areas where the local courts were still in session.

Alamance County and Caswell County, North Carolina, 1870

On March 7, 1870, Governor William W. Holden declared martial law in Alamance and Caswell Counties, as those counties were in a state of insurrection. The KKK was rampant in both counties and neither law enforcement nor the court system did anything to investigate and prosecute the Klan's atrocious crimes, including whippings, hangings, shootings, and a drowning. Gov. Holden explained his decision: "The civil law is powerless and silent in that county. Many of the people of the county feel that they are entirely insecure in their persons and property, and their only hope is in such protection as the military can afford them. Federal troops, commanded by discreet officers, will be employed. The innocent and the law-abiding will be in no danger; but it is indispensable to bring the guilty to punishment."^[35]

The Great Chicago Fire

In response to the Great Chicago Fire of 1871, Chicago mayor Roswell B. Mason declared a state of martial law and placed General Philip Sheridan in charge of the city on October 9, 1871. After the fire was extinguished, there were no widespread disturbances and martial law was lifted within a few days.^[36]

Coeur d'Alene, Idaho, 1892

In 1892, in Coeur d'Alene, Idaho, striking mine workers blew up a mill and shot at strike-breaking workers. The explosion leveled a four-story building and killed one person. The governor declared martial law. At the same time, a request was made for federal troops to back guardsmen. Over 600 people were arrested. The list was whittled down to two dozen ringleaders who were tried in military court. While in prison, the mine workers formed a new union, the Western Federation of Miners.

San Francisco earthquake of 1906

Following the earthquake of 1906, the troops stationed in the Presidio were pressed into martial law service. Guards were posted throughout the city, and all dynamite was confiscated. The dynamite was used to destroy buildings in the path of fires, to prevent the fires from spreading.

Colorado Coalfield War

In 1914, imposition of martial law climaxed the so-called Colorado Coalfield War. Dating back decades, the conflicts came to a head in Ludlow, Colorado in 1913. The Colorado National Guard was called in to quell the strikers. For a time, the peace was kept, but it is reported that the make-up of the Guard stationed at the mines began to shift from impartial normal troops to companies of loyal mine guards. Clashes increased and the proclamation of martial law was made by the governor, eventually resulting in the Ludlow Massacre. President Wilson sent in federal troops, eventually ending the violence.

West Virginia Coal Wars

During the events of the West Virginia Coal Wars (1920–1921), martial law was declared on the state of West Virginia. At the behest of Governor Cornwell, federal troops had been dispatched to Mingo County to deal with the striking miners. The army officer in charge acted, ostensibly, under the Suspension Clause of Article I of the United States Constitution (selectively; accounts show that he only jailed union miners), and did not allow assembly of any kind. If his soldiers found any union miners, they immediately took them and imprisoned them. The jails filled up so quickly that he had to release miners. As it went, miners were arrested, jailed, and released without any sort of trial. After a time, when the trial of Sid Hatfield began; the military occupation and "veritable military dictatorship" (Governor Cornwell) of the army officer ended. Many of the miners were not released from jail. It was only the first of three times that federal troops would be called to quiet the miners in the West Virginia Mine War.

San Francisco, California, 1934

In 1934, California Governor Frank Merriam placed the docks of San Francisco under martial law, citing "riots and tumult" resulting from a dock worker's strike. The Governor threatened to place the entire city under martial law. The National Guard was called in to open the docks, and a citywide institution of martial law was averted when goods began to flow. The guardsmen were empowered to make arrests and to then try detainees or turn them over to the courts.

The Territory of Hawaii

During World War II (1939 to 1945) what is now the State of Hawaii was held under martial law from December 7, 1941 to October 24, 1944, following the Japanese attack on Pearl Harbor.^[37] Many Hawaiians were, and are, of Japanese descent, and the loyalty of these people was called into question. After the war, the federal judge for the islands condemned the conduct of martial law, saying, "Gov. Poindexter declared lawfully martial law but the Army went beyond the governor and set up that which was lawful only in conquered enemy territory namely, military government which is not bound by the Constitution. And they ... threw the Constitution into the discard and set up a military dictatorship."^[38]

Freedom Riders

On May 21, 1961, Governor Patterson of Alabama declared martial law "as a result of outside agitators coming into Alabama to violate our laws and customs" which had led to "outbreaks of lawlessness and mob action."^[39]

See also

- Authoritarianism
- Chief Martial Law Administrator
- DEFCON
- Military dictatorship a government where in the political power resides with the military.
- Military occupation, the form of administration by which an occupying power exercises governmental authority over occupied territory.
- Military junta a government led by a committee of military leaders.
- Military law (law to which members of the military are subject)
- Military rule (disambiguation)
- Police state
- State of emergency

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External links

- 'Martial law' in the Encyclopædia Britannica



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