Is Neutrality an Option for the Philippines?

by Francisco S. Tatad

Nov. 16—The following (edited) op-ed in the Manila Times *was written by Francisco "Kit" Tatad, Minister of Public Information under President Ferdinand Marcos from 1969 to 1980, and Senator of the Philippines from 1992 to 2001. Sen. Tatad is a founding member of the National Transformation Council.*

The Prospect of War

WASHINGTON, Nov. 13 (EIRNS)—Given the maritime conflict between China and Japan, between China and the Philippines, and America's concern over China's conduct in the disputed areas, armed hostilities could arise between China on the one hand, and the United States and Japan on the other, with the Philippines probably absorbing some of the missiles. This is the fear of some Filipino analysts I have met here.

…The Philippines is not militarily prepared for any war, but by talking like it very badly needs to take on the Asian hegemon, the Aquino regime may have created a situation nobody wants or is ready for.…

The Idea of Being Neutral

One analyst, who asked that I withhold his name, has proposed one such unthinkable question. Given the growing rivalry between the United States and China, and the distinct possibility that we might get caught in the middle, if and when it explodes into a

Philippine Senator Francisco (Kit) Tatad, addressing a conference of the Save the Nation movement, founded by Philippines LaRouche Society leader Butch Valdes, in April 2013.

violent confrontation, can neutrality be an option for the Philippines? It is not easy to formulate this question, for obvious reasons. Because of our longstanding security alliance with the United States, just to ask the question already carries with it the smell of treason. . . .

Why neutrality? Because the analyst's fear is that an air-sea battle could erupt in our disputed waters, and it would not be easy to remain a non-belligerent then. He does not see hostilities being limited to a small war solely between China and the Philippines on account of their maritime territorial dispute. The issue has been there since the 1950s, and only during the presidency of B.S. Aquino III did it become a serious bilateral problem.

Imagining War

The analyst believes that, were real hostilities to occur, they are more likely to be between the United States and Japan on the one hand, and China on the other, because of the larger question of regional dominance and sphere of influence. As the oldest Asia-Pacific power and the world's only superpower, the United States, with its Seventh Fleet, is not likely to give up its historic role. But China is now a world economic power, and a rising regional military power, and will not want to be elbowed out of its own natural theatre. . . .

Can a country like the Philippines offer a solution? This is what the analyst wanted me to explore. The Philippines is one of China's oldest trading partners, and at the same time, a historic U.S. military and political ally. It should be a friend to both sides. . . .

Until 1975, when Marcos established diplomatic relations with Beijing, the Chinese Communist Party was said to be funding, training, and arming the New People's Army (NPA) and the Communist Party of the Philippines (CPP). The cessation of Chinese support for the CPP/NPA was one of the conditions for Marcos' recognition of Beijing. On the other hand, military assistance and security support came solely from the United States, with which the Philippines had a Mutual Defense Treaty signed in 1950 (and in force until now), and a military bases agreement, signed in 1947 and ending in 1991.

U.S.-Philippine Security Ties

When the bases agreement expired in 1991, the United States tried to negotiate a new treaty extending the bases by another 10 years. This was shot down by the Senate in 1992, despite President Corazon Aquino's frenzied effort to win Senate approval. This chilled Philippine-U.S. relations for a while until the two governments entered into a Visiting Forces Agreement in 1999. As Senate Majority Leader at the time, I co-sponsored the Senate resolution concurring in its ratification.

In 2014, the Aquino government signed an Enhanced Defense Cooperation Agreement (EDCA) with the United States without the participation of the Senate. The Constitution provides that after 1991, foreign military bases, troops, or facilities shall not be allowed in the Philippines except under a treaty duly concurred in by the Senate and, when the Congress so requires, ratified by a majority of the votes cast by the people in a national referendum held for that purpose, and recognized as a treaty by the other contracting state.

The EDCA does not create any new bases, but allows the United States to deploy its troops and facilities inside any Philippine military establishment. It also allows nuclear vessels to come and go as they please, despite the constitutional ban on nuclear weapons in the

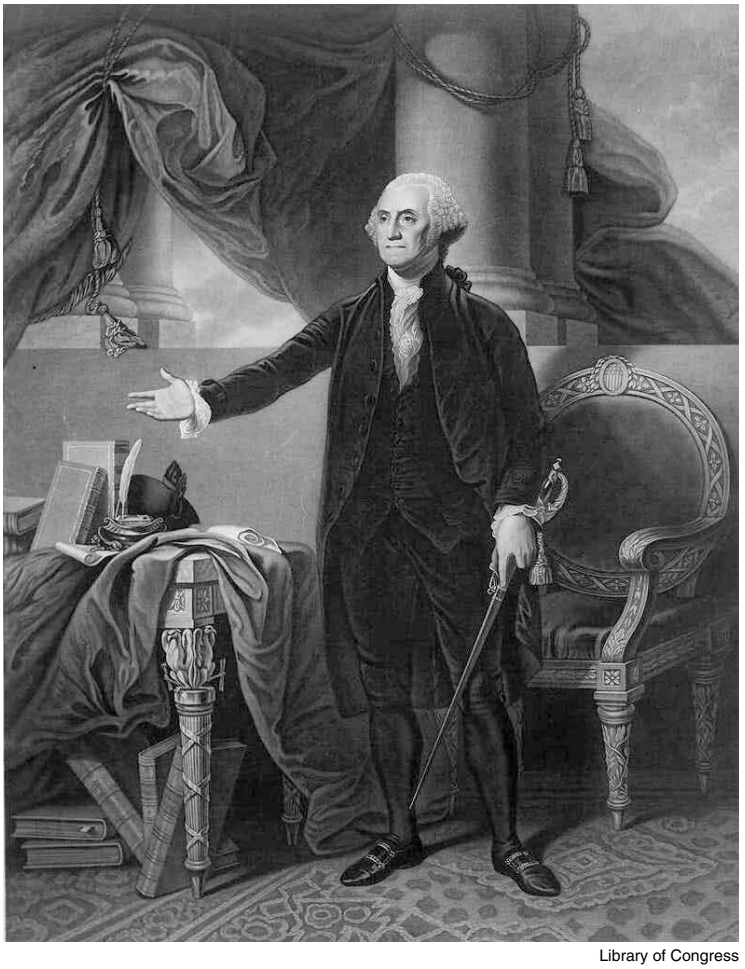
country. All this seems consistent with Aquino's support for President Obama's pivot to Asia.

Undoing What Aquino Has Done

Aquino's handling of the nation's foreign and national security policies has created a situation that needs to be undone.... The Philippines needs to compose its own differences with China, instead of getting involved in any quarrel that is not its own. It should try to promote friendship and cooperation between China and the United States, instead of getting caught in the middle of any possible confrontation. How can this be done? The analyst suggests either a non-aggression pact with China or a state of neutrality for the Philippines. This, he points out, is consistent with the Philippine constitutional provision which renounces war as an instrument of national policy.

U.S. Neutrality

With respect to neutrality, he points to the early American experience. In 1793, he recalls, President George Washington issued a proclamation of neutrality, which enabled his young nation to avoid the war raging between France and England. The United States was militarily weak at the time, and fighting a war would have endangered its very existence. This enabled the United States to grow from inside, so that by 1823, it was strong enough to proclaim the Monroe Doctrine, which warned the European powers that further efforts to colonize land or interfere with states in North or South America would be regarded as acts of aggression, requiring U.S. intervention.



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President George Washington declared U.S. neutrality in the midst of the great European conflicts of the 1790s.

From 1935 to 1939, President Roosevelt invoked the Neutrality Act again and again to avoid getting embroiled in the European wars.... On Dec. 8, 1941, the United States declared war on Japan, a day after it had attacked Pearl Harbor. On Dec. 11, 1941, Germany and Italy declared war on the United States, and on the same day the United States responded with similar declarations. By now the United States had become a great war power, but for as long as it lasted, its neutrality had a glorious run.

Some Rights and Duties of Neutrals

Under the Hague Convention of 1907, the territory of neutral powers is inviolable.

Belligerents are forbidden to move troops, or convoys of either war munitions or supplies, across the territory of a neutral power. They are likewise forbidden to (a) erect on the territory of a neutral power a wireless telegraphy station or other apparatus for the purpose of communicating with belligerents on land or sea, or (b) use any installation of this kind established by them before the war on the territory of a neutral power for purely military purposes, and which has not been opened for the service of public messages.

Corps of combatants cannot be formed nor recruiting agencies opened on the territory of a neutral power to assist the belligerents.

A neutral power has the right and the duty to resist any attempt to violate its neutrality, even by force, without [being regarded as] committing a hostile act....

Effects of Neutrality

Were the Philippines to become neutral, it would remove itself from the center of the evolving conflict between China on the one hand, and the United States and Japan on the other. It would also allow a policy of equidistance from the competing Asia-Pacific powers. This would enable it to develop an independent world view and a foreign policy that looks primarily to its own interests, rather than to those of its external patrons. For the first time in its history, it would be compelled to stand on its own. This would not be without pain in the beginning, but if Switzerland provides any inspiration, the end result could be rewarding. It would allow the country to nourish and fulfill its own ambitions.

But it would mean dismantling the U.S.-Philippine alliance which has helped to undergird the U.S. security system in the Asia-Pacific region until now. Do you believe there is anyone on the horizon who would risk his chance of becoming president by suggesting to Washington that this is one great idea whose time has come?

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