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Will DU30 tell the US what he told the Chinese?

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US Assistant Secretary of State for East Asian and Pacific Affairs Daniel Russell will be in Manila today to find out exactly what President Duterte meant when he said in Beijing last week that he was separating the Philippines, economically and militarily, from the United States, and aligning it with China and Russia “against the world.” Not only the US needs such a clarification. The Filipino people are the first ones that do. Then their Asian and other allies. Then China and Russia, too.

Was DU30 speaking just for himself, as he would have us believe, when he spoke of “separating” from the US? Did Chinese President Xi Jinping and Russian President Vladimir Putin, who are out to win friends for themselves everywhere, authorize DU30 to say they now stand (with him) “against the world?”

No diplomatic break

Arriving from his four-day visit to China on Saturday, DU30 said “separation” does not mean “severance” of diplomatic ties. Diplomatic relations will continue, as far as DU30 is concerned, but the so-called “special relations” will have to go. Of course, the US, on its own, could suspend diplomatic relations if it finds any reason to do so. Some observers, including the longest serving defense secretary of the country, believe that DU30 needs the US more than the US needs DU30; the US, therefore, should not be intimidated by his threats to “separate” or even sever relations.

Doug Bandow, a political author who once worked as a special assistant to President Ronald Reagan and is now a senior fellow at Cato Institute, writes: “America is a curious great power. It cowers before international lightweights, begging the least significant nations to let it defend themselves, such as the Philippines. United States credibility suffers when a nation long subsidized and defended by America shows such ostentatious disrespect. The Philippine president shouldn’t be treated like a co-equal and ally if he doesn’t behave like one.”

The meaning of economic and military separation

What does economic and military separation mean? DU30 needs to explain this term. The Philippines’ biggest source of foreign investments is the US. Its biggest export market after Japan is the US. The biggest single concentration of Filipinos abroad is in the US. The most number of post-graduate degrees for Filipinos who studied abroad come from the US. And the only country with which the Philippines has existing military and security treaties is the US.

Assuming DU30 could cut off economic and military ties with the US without severing diplomatic ties, what would this mean? Would it mean withdrawing from all the economic

institutions, forums and initiatives where the US plays a key role, shutting down all US investments, closing down all call centers, terminating all exports, imports, and technological exchanges? It seems unimaginable.

In the area of military security, would it mean terminating the 1951 Mutual Defense Treaty, which declares that an armed attack in the Pacific Area on either of the Parties would be dangerous to the peace and safety of both parties, and that the other party not attacked would act to meet the common danger in accordance with its constitutional processes? Would it involve all types of cooperation not specifically contemplated under the MDT, but falling under the global war on terror, not anticipated by any formal military agreement?

What happens to the treaties?

If DU30 decides that his pivot to China and Russia has removed any possibility of the Philippine armed forces, naval vessels or aircraft being attacked by China, Russia or North Korea, he might conclude that the need for an MDT with the US has been rendered superfluous. And since he may no longer imagine the Philippines fighting against China in case of an armed conflict between the US and China, he may decide to scrap the MDT altogether. With the MDT out, the 1999 Visiting Forces Agreement, and the 2014 Enhanced Defense Cooperation Agreement would automatically follow, since they are but “implementing agreements” of the MDT.

However, our military ties with the US will not cease automatically just because DU30 has said so. DU30’s statement cannot have the same effect as the eruption of Mount Pinatubo in 1991, which sent the American forces fleeing Clark and Subic even before the 1947 Military Bases Agreement actually ended. The MDT has an indefinite term, which either party could terminate only by giving the other party a one-year written notice. Similarly, the EDCA may be terminated also upon a one-year written notice. The VFA may be terminated upon a 180-day notice.

But the actual termination of these treaties does not, and will not, remove the Philippines from the protective global umbrella provided by the US. The US will continue to provide a naval security cover for all the commercial vessels transporting people and goods between the Philippines and various points around the world. Most of the vessels plying the oceans are manned by Filipinos who account for a full one-third of the world’s seafarers; they will continue to be protected from pirates, terrorists and hostage-takers in the high seas, even after DU30 has “separated” militarily from the US.

A silly Senate threat

Some previously silent and slumbering members of the Senate have warned that DU30 would be committing an impeachable offense if he terminates the military treaties and agreements with the US, without the concurrence of the Senate. They seem to see a possible opening for the former ruling party to move for DU30’s removal and replacement by the Vice President-under protest, who has the support of the Liberal Party. This is delusional and absurd; it has no constitutional basis.

While the President cannot validly ratify a treaty without the concurrence of at least two-thirds of all the members of the Senate, especially if it involves foreign military bases, troops or facilities,

he can terminate a treaty, including those that had been concurred in by the Senate, all by his lonesome, simply by complying with the termination clause contained in the treaty or agreement.

I would argue, however, that the President cannot and should not upend or drastically modify a treaty that has become the basis of a government's defense and military policy for ages, and which has helped to form the people's cultural and psychological makeup, without involving the people themselves. It is best that the President refer the matter to the people in a referendum or a plebiscite. The people, not the President, are the real sovereign; whatever authority DU30 believes he has merely emanates from them. This is how the Constitution puts it.

The national interest

The President is merely the people's servant, as the previous occupant of the presidency correctly, if light-heartedly, put it. He cannot bind the people to his personal will, unless it is also their own.

Now, has DU30 tried to ascertain the people's will on this all-important issue? He has not. While the making of foreign policy is the President's prerogative, with the Senate as co-maker, in a subordinate capacity, the national interest, not the President's caprice, decides the general direction of that foreign policy. This is well-established and not open to debate.

Because we renounce war as an instrument of national policy, we seek friendship and cooperation with all nations and avoid misunderstanding, enmity or conflict with any. No President can whimsically change the nation's longstanding relations with any ally except for an extraordinarily grave cause, and with the people's full consent and support. If for an exceptionally grave reason the state decides to break off diplomatic ties with, or declare war on an ally, that exceptionally grave reason should be stated fully with unmistakable clarity, and popularly supported.

A life of personal affronts

So far DU30 has failed to explain his cause. A relatively balanced article in the Wall Street Journal traces his deep-seated resentment against the US to a number of personal affronts. He did not like Barack Obama poking his nose into the local drug killings, which he considers a "purely internal affair" of his government, and he resented Obama's canceling a proposed bilateral meeting on the sidelines of the Asean summit in Laos, after he called Obama the "son of a whore." In Beijing, he revealed having been denied a US visitor's visa, and having been rudely accosted by a black man.

He also complained that Americans were "loud and rowdy," while Orientals were traditionally polite and well mannered. Upon his return from Beijing, he revealed the US had disrespected him by sending an alleged spy to Davao city, who carried explosives and got involved in a hotel fire. He identified the alleged spy as Michael Meiring, whom the communist leader Jose Ma. Sison had earlier linked to the Davao bombing, which prompted DU30 to declare a state of lawless violence.

For someone who has made a virtue of using foul and vulgar language to rage against God, the Pope, the US President, the UN Secretary-General, the European Union's collective leadership, and various church dignitaries, this was certainly an incredible performance. There are vulgar

Americans as there are other vulgar individuals everywhere, but they have no role to play in deciding whether two countries should or should not have economic or military ties.

How to deal with spies

On the issue of the alleged spy, it seems rather naive to complain that something like this was reportedly happening. Even a poor country like the Philippines has its own intelligence operatives in foreign countries. The US, UK, China, Russia, France, Japan, Israel, Iran, Malaysia and Indonesia, to mention just a few, are presumed to employ their own spies everywhere to gather information for their respective governments. The duty of every government is to monitor the activities of these foreign operatives. If and when they cross the line, the government should be able to move against them and apply the necessary sanctions.

For example, in 1960, Singapore Prime Minister Lee Kuan Yew exposed a CIA attempt to bribe him with \$3.3 million in order to cover up an unsuccessful operation that involved the purchase of secret information from Singaporean officials. Lee got Secretary of State Dean Rusk to write him a formal letter of apology, so that when the State Department spokesman denied the exposé, all he had to do was to show Rusk's letter to the US correspondents, and ask, how could the State ever deny the undeniable? Like Lee, DU30 should have caught the alleged US spy in flagrante delicto.

No surprise for China

Until now, DU30 has done nothing to manifest his announced decision to “separate” through any concrete action. This seems more of the shadow of a sword suspended in midair, which could drop anytime. But DU30's latest statement—that he will not break diplomatic ties—has effectively withdrawn that sword. This should allow all those who support continued US-Philippine friendship to breathe a little better.

Indeed, the Chinese might hope that DU30's actions after China would match the rhetoric they heard from him during his visit. But what they might hear from Foreign Secretary Yasay's conversations with Russell today may be the exact opposite of what they had expected. They should not be disappointed, nor surprised. DU30's ability to reverse himself and keep everyone guessing has become the primary quality of his presidency. This kept the mao tai going in Beijing, and it is what he has brought, intact and unalloyed, back to his adoring masses.