



# Philippine Hedging Strategy in the South China Sea: an Analysis of Approaches by President Benigno Aquino III and President Rodrigo Duterte

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Philippine Hedging Strategy in the South China Sea:  
An Analysis of Approaches by President Benigno Aquino III and President Rodrigo  
Duterte

Rachel Winston

A Thesis in the Field of International Relations  
for the Degree of Master of Liberal Arts in Extension Studies

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## Abstract

While the Philippines and China are neighbors, their courtship has been unpredictable at best and tumultuous at its worst. During President Benigno Aquino III's administration (2010-2016), threatening altercations between the Philippines and China at Scarborough Shoal dangerously escalated into conflict with China forcibly taking territory within the Philippines' Exclusive Economic Zone. Tensions grew persistently throughout Aquino III's presidency as the PRC pressurized the cauldron by building and then militarizing artificial islands in the Philippines' backyard. As China continues to build artificial islands in the Philippines' Exclusive Economic Zone, outfitting these with missile systems and warplanes, and both ramming Philippine fishing vessels and confiscating their catch, Philippine leaders must consider alternatives: the United States, China, or a hedging strategy.

China's assertion of maritime claims in the South China Sea includes repositioning its military in Southeast Asia, slowly pushing toward supplanting the United States as the regional hegemon. By seeking to control the South China Sea, neutralizing ASEAN rivals, and projecting trust, benevolence, and power, China has changed the balance of power and challenged small states to choose between the United States and China. Heightened uncertainty regarding China's rising power status and the United States' great power positioning has led Southeast Asian states to simultaneously balance and engage. This hedging strategy creates an unpredictability factor in state relations, economic opportunity, and national security. Furthermore, outside influence, financial enticements, and political coercion have played no small part in this decision-making conundrum.

As states mitigate risk, they incorporate military, political, and institutional protection mechanisms on the one hand while negotiating cooperative trade, financial, and diplomatic agreements on the other. Unable to predict China's intentions, states have hoped for the best and prepared for the worst. Without an international rule of law, followed by all states, rules of engagement and means of enforcement are absent. A states' misinterpretation of both rhetoric and actions could have serious consequences. The hope that multinational institutions will arbitrate or enforce standards and treaties have dissipated with states' lack of transparency and disregard for international agreements.

## Dedication

This thesis is dedicated to my father, Dr. David Allen Waugh, whose career as a United Nations diplomat inspired me to question assumptions, discover untold truths, and seek wisdom from natives in each country. Learning from his astute sense, I pragmatically analyzed the institutional logic, political biases, and personal blind spots of world leaders and their citizenry.

This work is also dedicated to my mother, Malka Mirvis Waugh, who empowered me to become a mathematician but did not live long enough to witness my transformation. Inspired by her commitment, dedication, and compassion, I transmitted her energy and passion to the students I taught during my thirty-five-year college teaching career.

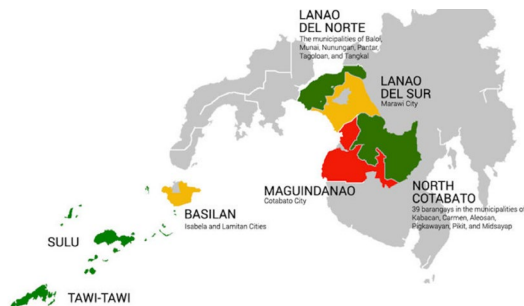
## Acknowledgments

I first want to acknowledge Dr. Doug Bond for his support throughout my thesis process and for his generous wisdom in providing valuable feedback that made the completion of my degree at Harvard University possible. Additionally, I would also like to express my deep thanks to my advisor, Dr. Ariane Mary Aphrodite Liazos, for her support and encouragement throughout the process. Three other key people made this journey possible: Robert Helmer, David Waugh, and Julianne Alfe.

Without the ceaseless support of my husband, Robert Helmer, I would not have had the chance to study as intensely or consistently. For more than two decades, I have pursued graduate studies in either United States, China, or Central America, traveling to Asia for research and crisscrossing the country to attend classes in Boston, Chicago, Austin, New York, Washington, D.C., and Los Angeles. He ensured that my educational pursuits were possible no matter how unorthodox they seemed. I thank both my father, Dr. David Waugh, and husband, Robert Helmer, who unselfishly served as my two go-to readers and commentators for my thesis, articles, and books. Finally, heaven-sent my friend, colleague, and English professor, Julianne Alfe, to look over my thesis at the very moment I needed a fresh pair of eyes.

## Acronyms and Terms

ADF	Australian Defense Force
AFP	Armed Forces of the Philippines
AIIB	Asian Infrastructure and Investment Bank
AmBisyon Nation 2040	The Philippines 25-year plan and long-term vision for the Philippines
APEC	Asia-Pacific Economic Cooperation
ARIA	Asia Reassurance Initiative Act
ARMM	Autonomous Region of Muslim Mindanao. ARMM was replaced by BARMM in 2012 when President Benigno Aquino III agreed to a peaceful transition and an autonomous entity (formalized by President Rodrigo Duterte in 2019).
ASEAN	Association of Southeast Asian Nations - (One Vision, One Identity, One Community) - Regional intergovernmental association of Southeast Asian ten nations including: Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar (Burma), Philippines, Singapore, Thailand, and Vietnam.
ASEAN Plus Three	This cooperative group includes the 10 ASEAN states plus China, Japan, and the Republic of Korea
ASEAN Plus Six	These sixteen countries (the 10 ASEAN states plus Australia, China, India, Japan, South Korea, and New Zealand) form the Regional Comprehensive Economic Partnership.
BARMM	Bangsamoro Autonomous Region in Muslim Mindanao - This region includes Basilan, Lanao del Norte, Lanao del Sur, Maguindanao, North Cotabato, Sulu, Tawi-Tawi, and the cities of Marawi and Lamitan



BOL	Bangsamoro Organic Law. This law, signed by President Rodrigo Duterte, in 2018, formally established the BARMM. This law was ratified in 2019.
BRI	Belt and Road Initiative
BSP	Bangko Sentral ng Philipinas (The Central Bank of the Philippines)
CCP	Chinese Communist Party
CFO	Commission on Filipinos Overseas
CNN (CPP)	Communist Party of the Philippines
COC	Code of Conduct



CPI	Corruption Perceptions Index
DOC	Declaration of the Conduct of Parties in the South China Sea
EDCA	Enhanced Defense Cooperation Agreement. An agreement signed in 2014 between the U.S. and the Philippines with the goal of supporting U.S. Philippine relations and military cooperation. The EDCA was declared constitutional in 2016.
EEZ	Exclusive Economic Zone. The United Nations Convention on the Law of the Sea (UNCLOS) defines the region as the band extending 200 miles off the shore of a coastal state in which that state has the jurisdiction over the exploration of natural resources and exploitation of marine resources in its adjacent continental shelf.
EU	European Union
FDA	Department of Foreign Affairs
FDI	Foreign Direct Investment
FONOPs	Freedom of Navigation Operations
GDP	Gross Domestic Product
GONGOs	Government-Owned NGOs
GRINGOs	Government-Run or Government-Initiated NGOs
Hedging	The management of risk relationships between two opposing parties to protect security and sovereignty by diversifying commitments and simultaneously balancing and engaging. The term ‘hedging’ is increasingly found in the U.S. strategic discourse, particularly regarding China. The White House 2006 National Security Strategy document stated that the U.S. strategy “seeks to encourage China to make the right strategic choices for its people, while we hedge against other possibilities.” <sup>1</sup>
ICC	International Criminal Court
ICJ	International Court of Justice
IMF	International Monetary Fund
IR	International Relations
KIG	Kalayaan Island Group
MIC2025	Made in China 2025
MILF	Moro Islamic Liberation Front. The goal of this Mindanao-based group in the Bangsamoro region is to create an autonomous area for the Moro people that is separate from the Philippine central government.
MNLF	Moro National Liberation Front. The MNLF signed an agreement with the Philippine government in 1996 to create the Autonomous Region of Muslim Mindanao (ARMM), now disestablished and replaced with the Bangsamoro Autonomous Region of Muslim Mindanao (BARMM).
Moro	People who live in the southern, predominantly Muslim area of the Philippines
NATO	North American Treaty Organization
NGO	Non-government Organization

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<sup>1</sup> National Security Council, The White House National Security Strategy of the United States, March 2006, <https://georgewbush-whitehouse.archives.gov/nsc/nss/2006/>.

Nine-Dashed Line	China bases its determination of rights to the South China Sea based upon a nine-dashed line drawn on a map in 1947. At times, this demarcated map had ten and eleven dashes in a roughly <i>U</i> shape. The boundaries of what they term their ‘historic claim’ are vague, but roughly encompass about ninety percent of the South China Sea. The ICJ determination in Philippines vs. China was that, based upon UNCLOS, China did not have a right to that region.
NSC	National Security Council
OBOR	One Belt, One Road
OECD	Organization for Economic Cooperation and Development
OPEC	Organization of Petroleum Exporting Countries
PCA	Permanent Court of Arbitration
PDP	Philippine Development Plan. Duterte’s strategic plan for the Philippines during his presidency.
PDP-Laban	Partido Demokratiko Pilipino. Lakas ng Bayan; the ruling political party in the Philippines.
PhP or PHP	Philippine peso. This is sometimes written <i>peso</i> .
R2P	Responsibility to Protect
RCEP	Regional Comprehensive Economic Partnership
RIMPAC	Rim of the Pacific
RMB	Renminbi (Chinese currency)
SCS	South China Sea
SONA	State of the Nation Address
TPP	Trans-Pacific Partnership
UNCLOS	United Nations Convention on the Law of the Sea. This is an international treaty that came into force in 1994 is an agreement that defines the rights and responsibilities of the world's oceans and seas. As of 2019, 167 nations have joined.
USAID	United States Agency for International Development
USD	United States Dollar
VAT	Value-Added Tax
VFA	Visiting Forces Agreement. This agreement provides guidelines for the conduct and protection of American troops that pass through or work in Philippine territory and the Philippine military who pass through or work in the U.S. This agreement was signed by the U.S. and Philippines in 1998. This military agreement was the first since the U.S. closed its naval base in Subic Bay and Clark Air Base in 1992. This agreement led to the institution of Balikatan (shoulder-to-shoulder) military training exercises, closer coordination on counterterrorism, and security measures.
Wang Wang	Policy under President Benigno Aquino III to stop honking horns to give government officials the right to move more quickly through traffic.
WPS	West Philippine Sea
WTO	World Trade Organization
ZOPFAN	Zone of Peace, Freedom and Neutrality. Declaration signed in 1971 by

ZTE

the foreign ministers of the ASEAN member states.  
Zhong Xing Telecommunications, a Chinese communications and  
technology corporation.

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## Chapter I.

### Introduction

*"Let China sleep, for when she wakes, she will shake the world." --Napoleon Bonaparte*

The Philippine nation has tiptoed in a cautious dance between two great power rivals. Both the United States and China have a long and checkered history with the Philippines - at times a threat and other times a benefactor. Promises and commitments between the Philippines and these two nations have been made and broken. Yet, needing financial resources, trade, and security, Philippine leaders have employed a hedging strategy that, at defining points in the past decade, has seemed capricious. Uncertain if the United States will back its commitment to the Mutual Defense Treaty<sup>2</sup> and China will either support or threaten the small nation economically or militarily, the past two Philippine presidents have taken juxtaposed foreign policy positions. In a hedging strategy of balancing and engaging, the Philippines' bearing took a U-turn in 2016 when President Rodrigo Duterte was elected.

The Philippines is a small country in terms of geographic area, population, and GDP. Its geography and diversity are complex, with 7,641 islands<sup>3</sup> that have been invaded and occupied numerous times by people of different cultures and languages. The result is a mix of religions, foods, practices, and 185 languages and dialects.<sup>4</sup> The official languages of the Philippines are

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<sup>2</sup> Republic of the Philippines, "Mutual Defense Treaty Between the Republic of the Philippines and the United States of America," *Official Gazette*, August 30, 1951.

<sup>3</sup> Republic of the Philippines, "About the Philippines," *National Government Portal*.

<sup>4</sup> Republic of the Philippines, "Ethnicity and Language/Dialect Generally Spoken at Home," *Philippine Statistical Authority*.

Filipino and English, though a third of the population speaks Tagalog. The Philippines is composed of 175 ethnolinguistic nations.<sup>5</sup>

An overwhelming majority of Filipinos are Christian. In tribal areas, animism is practiced intermixed with Buddhism, Taoism, Confucianism, Islam, and Christianity.<sup>6</sup> The Southern Moro peoples who first arrived after the Spanish Inquisition to avoid persecution, have actively pursued independence for four centuries through Spanish, American, and Japanese rule. The Spanish-Moro war began in 1565 and lasted throughout Spanish rule.<sup>7</sup> In the last two decades, despite the continued conflict, efforts have been made, including the Bangsamoro Organic Law, passed by the Philippine House and Senate July 2018, to give the Moro people additional opportunities for self-determination by establishing the Bangsamoro Autonomous Region (BAR).<sup>8</sup> Duterte signed this document on July 26, 2018. The House and Senate also approved the application of Shariah law to all Muslims in the BAR.

Over time, particularly during waning periods of economic growth, the Spaniards determined that trade with the Chinese could be fruitful. Chinese populations arrived in the Philippines and blended with the Spanish and indigenous populations. They married, converted to Catholicism, and adopted Spanish surnames.<sup>9</sup> As Filipinos and Chinese interacted and intermarried, especially during Spanish colonial rule, they found common interests and united over persecution, brutality, and slavery.

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<sup>5</sup> Republic of the Philippines, "Ethnicity and Language/Dialect."

<sup>6</sup> Jack Miller, "Religion in the Philippines," *Asia Society Center for Global Education*.

<sup>7</sup> Ethan Hawkley, "Reviving the Reconquista in Southeast Asia: Moros and the Making of the Philippines, 1565-1662," *Journal of World History* 25, no. 2 (2014): 285-310.

<sup>8</sup> Republic of the Philippines, *Bangsamoro Organic Law*, July 7, 2018.

<sup>9</sup> Antonio S. Tan, "The Chinese Mestizos and the Formation of the Filipino Nationality," *Persee* 32 (1986): 141-162.



The Spaniards ruled the Philippines for 333 years. However, in the 1898 Treaty of Paris, after the Spanish-American War, the United States acquired Spain's colonies in the Pacific, including the Philippines.<sup>10</sup> Shortly afterward, Filipinos sought independence, which led to the Philippine-American War. The tumultuous warfare sowed resentment in the Philippines regarding American colonization. The Philippines did not gain independence until 1946, after World War II, with the July 4th signing of the Treaty of Manila.<sup>11</sup>

The Philippine government did not have a strong military unit, and its navy was not equipped to protect themselves. This hindrance led to the signing of the Mutual Defense Treaty and commitment by the United States of troops and support on Philippine military bases. Subic Bay was constructed by the Spaniards, later used by the United States, and decommissioned in 1992.<sup>12</sup> Clark Air Base, once a Spanish cavalry post turned U.S. airbase, is now courted to become a Chinese hub.<sup>13</sup> Changes in leadership and ownership helped to bring forth a rising tide of China's economic and military might. Meanwhile, China's manufacturing sector and military expenditures burgeoned. Over time, China commissioned a complex and sophisticated naval apparatus, including more vessels than the United States and an extensive paramilitary fishing

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<sup>10</sup> U.S. Department of State, Office of the Historian, "The Spanish American War, 1898," <https://history.state.gov/milestones/1866-1898/spanish-american-war>.

<sup>11</sup> Eleanor Albert, "The U.S.-Philippine Defense Alliance," *Council on Foreign Relations*, October 21, 2016.

<sup>12</sup> Albert, "The U.S.-Philippine Defense Alliance."

<sup>13</sup> Grace Ramos and John Reed, "Chinese Group to Invest \$2bn in Former US Outpost in Philippines," *Financial Times*, Nov. 18, 2018.

fleet termed China's gray-zone aggression.<sup>14</sup> These have led to flashpoints in the South China Sea.

Unrest in the South China Sea, fueled by rhetoric and confrontation, has escalated during the past decade. From the onset of President Benigno Aquino's administration (2010 to 2016) to the foreign policy decisions and incidents leading to 2020, led by current President Rodrigo Duterte (2016 to present), the modes of operation of these two Philippine presidents are dramatically divergent. President Aquino shifted his focus from domestic concerns to the growing threat of China's land reclamation projects in the Nansha/Spratly Islands within the Philippine Exclusive Economic Zone (EEZ).<sup>15</sup> As China's perceived threat grew, Aquino became more assertive. After the Scarborough Shoal standoff in 2012 and his decision to take China to the International Court of Justice (ICJ) in the case, the Philippines vs. China, Aquino's administration sought a balancing strategy vis-a-vis the United States. Although a unanimous decision was handed down by the Permanent

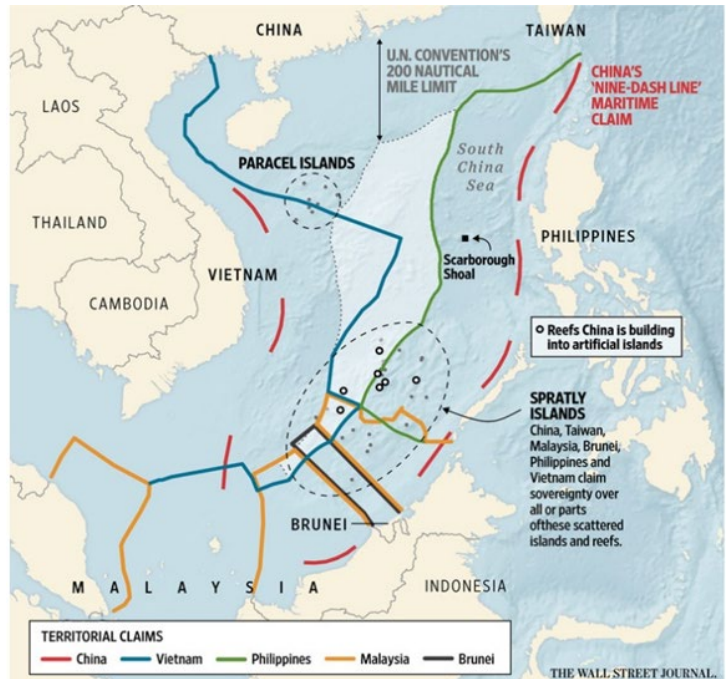


Figure 1. Territorial parameters outlining relative geographic location of each participant in the South China Sea's macroeconomic variables. Map source: Jeremy Page, "Tribunal Rejects Beijing's Claim to South China Sea," *Wall Street Journal*, 2016.

<sup>14</sup> China's gray-zone is an intermediate stance between war and peace with the goal to "win without fighting." See Andrew S. Erickson and Ryan D. Martinson, eds., *China's Maritime Gray Zone Operations* (Annapolis: Naval Institute Press, 2019).

<sup>15</sup> Renato Cruz De Castro, "The Aquino Administration's Balancing Policy Against an Emergent China: Its Domestic and External Dimensions," *Pacific Affairs* 87, no. 1 (March 2014): 5-27.

Court of Arbitration (PCA) on June 12, 2016,<sup>16</sup> China repeatedly claimed it would neither accept nor participate in the arbitration. Ironically, in an abrupt change of course, the same month as the PCA ruling, Rodrigo Duterte became the new Philippine president and pivoted to China.

While President Aquino challenged China in the international court, he created closer alliances with the United States, purchased American military equipment, and sought security guarantees based upon the 1951 Mutual Defense Treaty. President Duterte began his presidency, shifting his foreign policy to a China-friendly approach with China's offers of billions of dollars in infrastructure guarantees. However, in the past three years, China has not reciprocated in the funding of the promised projects.<sup>17</sup>

On the contrary, China has ramped up its confrontations and swarmed the Philippine islands. In a more aggressive action, the Philippine Coast Guard reported that on June 9, 2019, the Chinese ship, Yuemaobinyu 42212, rammed, sank, abandoned an anchored Filipino fishing vessel with twenty-two crew members aboard. This action violated the United Nations Convention on the Law of the Sea (UNCLOS) and the International Convention for the Safety of Life at Sea (SOLAS). Philippine Supreme Court Justice, Antonio Carpio, stated in his June 2019 speech that this event was “a quantum escalation of China’s aggressive acts against the Philippines in the West Philippine Sea...The Filipino people must send a strong signal to China that any new 'grey zone' offensive of ramming Filipino fishing vessels in the West Philippine Sea will mean a break of diplomatic ties with China.”<sup>18</sup>

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<sup>16</sup> United Nations, Permanent Court of Arbitration, *The South China Sea Arbitration, The Republic of the Philippines v. The People's Republic of China*, Case #: 2013-19.

<sup>17</sup> Richard Javaid Heydarian, "Duterte Still Waiting for China's Ballyhooed Bonanza," *Asia Times*, September 30, 2019.

<sup>18</sup> Anjo Alimario, "Carpio: Chinese Maritime Militia 'Highly Likely' Behind Ramming of Filipino Fishing Vessel," *CNN Philippines*, June 15, 2019.

The Philippines filed a diplomatic protest, the most decisive action against China during Duterte's administration. In response to China's maneuvering in the South China Sea (SCS) and, given China's apparent strategic regional immunity, the Philippines requested support from the United States with increased participation in Freedom of Navigations Operations. This action led to a strategy of equally balancing China on the one hand, as a regional neighbor and possible contributor of capital, and the United States on the other, for security, protection, and support. This balancing approach is a hedging strategy, developed in the works by Roy, Goh, and Stiles.

During Aquino's administration, China encroached on Philippine islands, built military bases on reclaimed rock outcroppings and coral reefs, and defended their 'historic right' to the vast majority of the South China Sea. Philippine politics under Duterte underwent a tectonic shift in the opposite direction and has recently moderated its course to an equibalanced approach to both China and the United States. Aquino's administration challenged China for six years as the regional giant encroached on the Philippine islands. To date, China has constructed seven militarized islands in the South China Sea, complete with radar, airstrips, surface-to-air missile platforms, anti-aircraft guns, and weapons systems (AMTI). Foreign Secretary, Teodoro Locsin Jr., in a September 2019 interview with ABS-CBN News, said that China maintains a hard-line stance. 'No foreign military power should be having military presence in the South China Sea,' adding, 'If you want to develop oil and gas, they'll only be with us.' This position with other SCS claimant states has erupted in numerous near-tragedies, including off the contested coast of Vietnam<sup>19</sup> and as-a-result-of the 'tyranny of geography.'<sup>20</sup>

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<sup>19</sup> Thi Bich Tran and Yoichiro Sato, "Vietnam's Post-Cold War Hedging Strategy: A Changing Mix of Realist and Liberal Ingredients," *Asian Politics & Policy* (January 29, 2018).

<sup>20</sup> Evelyn Goh, *Meeting the China Challenge, the U.S. in Southeast Asian Regional Security Strategies* (Washington, D.C.: East West Center, 2005), 7-66.

From the start of Aquino's U.S.-centered foreign policy with its long-standing ally to Duterte's juxtaposed 'independent foreign policy,' a transition has occurred from a realism-style balancing approach to a hedging strategy. Meanwhile, China has flexed its muscles by expanding its People's Liberation Army Navy (PLAN), increasing its military budget, and asserting its 'historic rights' in East Asia. Enticed by Xi's Belt and Road Initiative (BRI), the opportunity for the Philippines to create greater economic prosperity with promises of significant financial support from China has been too hard to pass up. Thus, Duterte began his administration in June 2016, squarely in favor of China, and has taken a revised course toward a strategy that hedging its future between two hegemons.

Though the history of settlement in the Philippines dates back thousands of years, the occupation by Spain, the United States, and Japan fills Filipino history books with stories of domination, brutality, and imperialism. In this thesis, I address the history, culture, and politics in general as it provides a foundation for Filipino belief systems. Then, I specifically focus on the Philippines and its alliances, challenges, and behaviors regarding China and the United States, identifying some of the reasons for its divergence from liberalism.

This thesis investigates the following research questions. What has led the Philippines to pursue its choice of policies in the decade from 2010-2020? What actions has the Philippines taken to hedge between the United States and China during the presidential administrations of Benigno Aquino (2010-2016) and Rodrigo Duterte (2016-present), and what are the implications of Duterte's strategy? Is there a difference between the two approaches based upon hedging theory? Finally, this study considers the foundation for small state decision-making in a bipolar world by shedding light and developing the concept of hedging strategy specifically in the Philippines with more broad implications to other Southeast Asian states with competing claims.

Taking a grounded theory approach,<sup>21</sup> I apply realism and hedging theory to investigate what has transpired over the past decade. I compare the policies and actions of the Philippine presidential administrations of Benigno Aquino III and Rodrigo Duterte to examine how history, politics, and economics led to each administration's foreign policy choices. In studying these two presidential administrations, I consider how hedging theory is used to craft Philippine foreign policy vis-à-vis China and the United States.

The conclusion is born out of the information gleaned from the research. Specifically, I consider macroeconomic variables, including GDP, unemployment, and inflation, along with presidential popularity and military strength.

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<sup>21</sup> Anselm Strauss and Juliet Corbin, "Grounded Theory Methodology: An Overview," in *Handbook of Qualitative Research*, ed. N. K. Denzin and Y. S. Lincoln (Thousand Oaks, CA: Sage Publishers, 1994), 273-85.

## Chapter II.

### Hedging Theory

An early theorist in the study of hedging in international relations, Roy<sup>22</sup> presents foundational considerations on hedging. Uncertain about the future, especially in light of Southeast Asian countries must protect against the risks associated with China's aggressive behavior. Roy explains, "The region bandwagons with China only to the extent that it desires trade with China and seeks to avoid the cost of alienating the region's rising great power."

Hedging theories that support the thesis include Goh's components of hedging<sup>23</sup> (soft-balancing, complex engagement, and enmeshment), measurement, and management of trust by Stiles,<sup>24</sup> and Tessman & Wolfe's four criteria for a hedging strategy.<sup>25</sup>

Evelyn Goh defines hedging as "a set of strategies aimed at avoiding (or planning for contingencies in) a situation in which states cannot decide upon more straightforward alternatives such as balancing, bandwagoning, or neutrality."<sup>26</sup> Stiles argues that trust begins and ends with whether or not one actor will look out for another actor's interests. Tessman and Wolfe

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<sup>22</sup> Denny Roy, "Southeast Asia and China: Balancing or Bandwagoning? Contemporary Southeast Asia," *Journal of International and Strategic Affairs* 27, no. 2 (2005): 305.

<sup>23</sup> Evelyn Goh, from the Strategic and Defense Studies Centre at Australian National University, developed some of the groundbreaking work in hedging theory. For example, see Evelyn Goh, "Understanding Hedging in Asia-Pacific Security," *PacNet Forum* 43 (August 31, 2006).

<sup>24</sup> Kendall W. Stiles, *Trust and Hedging in International Relations* (Ann Arbor: University of Michigan Press, 2018).

<sup>25</sup> Brock Tessman and Wojtek Wolfe, "Great Powers and Strategic Hedging: The Case of Chinese Energy Security Strategy," *International Studies Review* 12, no. 2 (2011): 214-240.

<sup>26</sup> Goh, *Meeting the China Challenge*, 2.

consider the capability differential between the hedging state and the powerful states and how to maximize opportunities while minimizing threats.<sup>27</sup>

With the emergence of China as a great power, its economic influence and political diplomacy have provided benefits to more than a hundred countries who have sought collaborative win-win relationships. This power shift has changed the global dynamic from unipolarity to bipolarity (multipolar if Russia is included) within the past decade. China opened its doors to investment opportunities during Deng Xiaoping's leadership, and its economy has grown at a remarkable rate. With plentiful, inexpensive labor, increasing privatization, and 'peaceful rise' during Hu Jintao's presidency, the international community began to see how they might take advantage of lower-cost manufacturing, materials, and trade. Xi Jinping's 'new era' of socialism with Chinese characteristics paved the way for the multinational Belt and Road Initiative.

This power ascendancy has simultaneously allowed China to offer olive branches to states in good faith while instilling fear in those who do not fully understand or trust their motivations. Similarly, after World War II, the United States emerged as a great power. The Marshall Plan was viewed with a dose of humility and an equal measure of skepticism. In both situations, soft power projection mollified bouts of queasiness as a cultural interchange, and an understanding of shared values promoted exchanges of ideas, creativity, and beliefs. Generosity in international relations has often been met by distrust. Less powerful states also pursue soft balancing through diplomacy, trade, institutions in order to balance against the threat.<sup>28</sup> When one state wields significant power vis-à-vis another state, the resulting asymmetric relationship

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<sup>27</sup> Tessman and Wolfe, "Great Powers and Strategic Hedging."

<sup>28</sup> Tessman and Wolfe, "Great Powers and Strategic Hedging."



can lead to unexpected consequences as rational actors seek to enhance their self-interest. The more powerful state can act as a benefactor, protector, or bully. The less powerful state can be complacent, compliant, or combative. States are unwilling to provoke China, particularly in light of coercive threats, economic leverage, and signs of assertiveness in its quest for hegemony. Brinkmanship is an option for the less powerful state when the larger state becomes a bully.<sup>29</sup> Particularly in light of the ICJ Permanent Court of Arbitration result, the militarization of the SCS has made most states question China's rhetoric with its true intention.

Gilpin states, "A state is compelled within the anarchic and competitive conditions of international relations to expand its power and attempt to extend its control over the international system. If a state fails to make this attempt, it risks the possibility that other states will increase their relative power positions and thereby place its existence or vital interests in jeopardy."<sup>30</sup> Thus, it is not inconsistent that China would extend its power reach to control as much of the South China Sea as it can and seek the natural resources it needs to provide for its population of nearly 1.4 billion people. China has the power to command the South China Sea, build artificial islands, and control fishing, oil, and trade as it sees fit. The United States no longer has a territorial claim in the South China Sea, and China seeks to keep it that way. Thus, if the Monroe Doctrine was good for the Americas, it is good for East Asia as well. While the United States is unlikely to leave the region without a very compelling reason, China will promote its cause to push the United States past the first island chain and then past the second island chain, too, if it can.

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<sup>29</sup> Brantly Womack, *Asymmetry and International Relationships* (New York: Cambridge University Press, 2016).

<sup>30</sup> Robert Gilpin, *War and Change in World Politics* (New York: Cambridge University Press, 1981).

The very thought of competition between two superpowers in the backyards of ASEAN states is enough to evoke fear. The security competition alone would engender fear. Threat inflation from both China and the United States has ASEAN leaders worried. A proxy war would have a grim result. Realist theory is replete with notations on fear and fearmongering, particularly regarding nuclear weapons and the security dilemma.<sup>31</sup> Thus, states must employ a risk management strategy that can be found in hedging. Goh describes these as strategies that cultivate a position between other measures they may take like balancing, bandwagoning, or a neutral position.<sup>32</sup>

Tessman and Wolfe present four criteria that characterize hedging.<sup>33</sup>

1. Improve, in an observable, significant, and specific way, the competitive ability of the hedging state should it someday enter into a militarized dispute with the system leader (Type A hedging), and/or improve the ability of the hedging state to cope without public goods or direct subsidies currently being provided to it by the system leader (Type B hedging).
2. Avoid direct confrontation of the system leader via the formation of an explicit military alliance aimed at the system leader (external balancing), not constitute an extensive arms buildup (internal balancing), or involve the initiation of a militarized interstate dispute.
3. Be strategic, in the sense that it is coordinated at the highest levels of government, and that it involves an issue area that has been explicitly recognized as of major national security interest to the hedging state.
4. Involve observable domestic or international cost(s) to the hedging state, including but not limited to acceptance of significant economic inefficiencies or diplomatic backlash.

As described in a previous chapter, the Philippines have a long history with both the United States and China with compelling reasons not to trust either. President Duterte has made it clear that he does not believe the Philippines can rely on the 1951 Mutual Defense Treaty or the 2014 Enhanced Defense Cooperation Agreement. He stated (1) the U.S. is afraid to back up

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<sup>31</sup> Arash Heydarian Pashakhanlou, *Realism and Fear in International Relations: Morgenthau, Waltz and Mearsheimer Reconsidered* (Basingstoke: Palgrave MacMillan, 2017).

<sup>32</sup> Goh, *Meeting the China Challenge*.

<sup>33</sup> Tessman and Wolfe, "Great Powers and Strategic Hedging."

its words with support and (2) that the construction of the artificial islands in the South China Sea is the United States' fault, not China's. While the U.S. has pivoted to Asia or rebalanced as a part of its strategy of containment, its commitment has been tenuous, inconsistent, and distant.

Hedging behaviors or the spread of risk, as defined by Tessman and Wolfe, minimize loss when stakes are high. In international relations, the heightened uncertainty of rising powers has led states to simultaneously balance and engage. Preparing for the worst through acts of balancing – maintaining a strong military, building and strengthening alliances – while also preparing for the best by engaging, building trade networks, increasing diplomatic links, and creating binding multilateral frameworks. The Philippines, and Vietnam in particular, have put considerable effort into contemplating their states' hedging strategies, uncertain whether or not China's extended arm of cooperation is a mutually beneficial bond of trust or a lure into a debt trap similar to the fate of Sri Lanka. China's intentions may be benign with the heartfelt goal backed by oft retorted statements of win-win results. It is very possible that China is not interested in territorial conquest or overtaking sovereign states.

Either way, to better understand motivations and actions, states must engage in trust-building, create an SCS Code of Conduct with enforcement, and resolve conflicts through multinational institutions. If so, hedging is less likely to impact Southeast Asian states and spread uncertainty onto the global stage.

The term 'hedging' is increasingly found in U.S. strategic discourse, particularly regarding China. The U.S. *National Security Strategy* document stated that U.S. strategy "seeks to encourage China to make the right strategic choices for its people, while we hedge against

other possibilities."<sup>34</sup> The Philippines' hedging strategy with the U.S. and China combines engagement with realist-style balancing, security cooperation, diplomacy while leaving open the possibility of a wide range of strategic options.

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<sup>34</sup> U.S. Department of State, National Security Council, 2016, "The White House National Security Strategy of the United States."

### Chapter III.

#### Historical Pretext and Background on the South China Sea Dispute

The historical pretext of annexation, conflict, politics, corruption, graft, power, terrorism, assassinations, inequality, religion, language, and indigenous people have significantly influenced the viewpoints of both President's Benigno Aquino III and Rodrigo Duterte. These two presidents have vastly different approaches to internal and foreign affairs. However, considering their belief systems, personalities, family relationships, circumstances, and time period in which they made formative decisions, their actions are not wholly unexplainable.

Born in 1960, Aquino is a fourth-generation Filipino politician and the fifteenth president of the Philippines. His father, a Philippine senator, was assassinated at the Manila airport upon returning to the country. His mother was the eleventh president of the Philippines. He is a never-married, childless, Roman Catholic, and a political liberal.

Rodrigo Duterte, the sixteenth president, was born in March 1945, before the end of World War II. He served as the Mayor of Davao in Southern Philippines, which is eighty percent Roman Catholic. Though he was raised a Roman Catholic, he claims to not believe in religion or accept Catholicism, though he believes “in one God Allah” since there is “part of me which is Islam.”<sup>35</sup> Meanwhile, he married a Jewish woman, Elizabeth Zimmerman, and had four children, three with his wife. He claims to have used the drug Fentanyl and boasted about his use of Viagra, which is interesting in that he has championed a brutal war on drugs, including extrajudicial killings of drug dealers and criminals. Combined with a psychological assessment

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<sup>35</sup> Dharel Placido, “Duterte: ‘There’s a Part of Me Which Is Islam,’” ABS-CBN News, January 18, 2019.

conducted twenty-one years ago that he has Antisocial Narcissistic Personality Disorder,<sup>36</sup> some of his scathing comments, volatile temper, and expletive-laden attacks are put into better context. Duterte has admitted to committing murder.<sup>37</sup> And, when asked about the thousands who were killed on the streets in his crackdown, previously offering bounties for he stated that he "cannot kill them all."<sup>38</sup> On one occasion, he said, "Hitler massacred three million Jews. Now, there are 3 million drug addicts .... I'd be happy to slaughter them."<sup>39</sup> His unabashed comments, human rights violations, and relationship with China have provided the news media with unending headlines.

The context in which these presidents lived their lives and background of the Philippines long history provides a backdrop to Filipino perspectives, socioeconomic inequality, and challenges that lie ahead. Archeological findings of tools dating back 700,000 years ago,<sup>40</sup> human remains from 67,000 years ago and trading 50,000 years ago, establishing tribal societies and encouraged trade, religion, and maritime culture. Buddhism and Hinduism arrived with Indian trading 1500 years ago.<sup>41</sup> Islam arrived through the Bruneian Empire with the establishment of a satellite state called the Kingdom of Maynila. Over the millennia, China's

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<sup>36</sup> Gabriel Samuels, "Philippines President Rodrigo Duterte Mental Health, Assessment Reveals Tendency to 'Violate Rights and Feelings,'" *Independent*, October 12, 2016.

<sup>37</sup> BBC News, "Philippines' Duterte Admits Personally Killing Suspects," December 14, 2016.

<sup>38</sup> Gabriel Samuels, "Rodrigo Duterte: Philippines President to Extend War on Drugs Because He 'Can't Kill Them All,'" *Independent*, September 20, 2016.

<sup>39</sup> Emily Rauhala, "Duterte: Hitler Killed Millions of Jews, I Will Kill Millions of Drug Addicts," *Washington Post*, September 29, 2016,

<sup>40</sup> Lizzie Wade, "Ancient Humans Settled the Philippines 700,000 Years Ago," *Science*, May 3, 2018.

<sup>41</sup> "Trade Routes in the Indian Ocean c.500-1000 CE - Asia, Africa, Arabia, Persia, India, Ceylon, Sumatra Borneo, Java, Philippines, China, Indian Ocean, Madagascar, Arabian Sea," [maps.com](http://maps.com), February 1, 1999.

reach to the Philippines ebbed and flowed. Immigrants from the ‘Middle Kingdom’ created settlements, even during Spanish colonization.

In 1521, Ferdinand Magellan brought European trade and coined the water west of the Philippines, Mar Filipinas (also known as the West Philippine Sea or South China Sea). In 1543, Ruy Lopez de Villalobos called the islands Las Islas Filipinas, named after Philip II of Spain. After territorial battles between the Islamic Rajahnate of Maynila, Sultanate of Brunei, Sultanate of Lanao, Portuguese Ternate, and Sultanate of Maguindanao, the Spaniards colonized the islands with the first official settlement in Cebu, in 1565.<sup>42</sup> After Spanish explorer Miguel Lopez de Legaspi settled in the Philippines, directed by Mexico-headquartered Viceroyalty of New Spain, the island chain unified with Manila as the capital of the Spanish East Indies.<sup>43</sup> Though the Spanish met resistance in the Muslim sultanates of Mindanao, Christianity became the predominant religion.<sup>44</sup> During this time, the rule of law was established.

Spain faced constant challenges in the Philippines since other countries sought the spices and resources of the archipelago, particularly with the Dutch, Japanese, Sultanates, and the British East India Company, whose soldiers occupied Manila until 1764.<sup>45</sup> After the Seven Years’ War, Spain resumed control. These conflicts were expensive and, nearing bankruptcy, a letter was penned to King Charles III explaining why Spain should abandon the colony. Yet, with the overarching goal of converting people to Christianity, the monarchy rejected the

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<sup>42</sup> David P. Barrows, *A History of the Philippines* (New York: American Book Company, 1905).

<sup>43</sup> Robert Jones Shafer, *The Economic Societies in the Spanish World, 1763–1821* (Syracuse: Syracuse University Press, 1958).

<sup>44</sup> Patricia Herbert and Anthony Crothers Milner, *South-East Asia: Languages and Literatures: a Select Guide* (Honolulu: University of Hawaii Press, 1989).

<sup>45</sup> Barrows, *A History of the Philippines*.

request. Soon afterward, Mexico's independence in 1821 led to Spain's direct rule.<sup>46</sup> The Filipino people gained more autonomy as well as free public education, taught in the Spanish language.<sup>47</sup> Filipinos enrolled in Spanish universities; Manila was considered a model colonial city. After more than three centuries of Spanish rule, with the signing of the Treaty of Paris in 1898, the Philippines became a United States territory.<sup>48</sup> At the conclusion of the Spanish-American War, the U.S. paid Spain twenty million dollars, and Spain ceded the Philippine land.<sup>49</sup>

Filipinos no longer wanted to be ruled. Seeking independence, the Filipinos used a guerilla warfare strategy, though the U.S. held the territory by demolishing villages, torturing guerillas, and taking prisoners. During the Philippine-American War, Filipino militia responded by torturing and threatening those they captured with hundreds of thousands of deaths.<sup>50</sup> With a stronger navy, the U.S. overpowered the Filipinos, though the memory of that savagery still lingers. When the United States annexed the Philippines, Theodore Roosevelt offered amnesty to the people.<sup>51</sup> Although the Governor-General was an American, the Philippines gained greater control over its governance, electing leaders and deciding its direction. The Philippine Autonomy Act was passed in 1916,<sup>52</sup> which included the promise of independence. The Tydings-McDuffie Act led to the establishment of the Commonwealth of the Philippines in 1935.

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<sup>46</sup> Shafer, *The Economic Societies in the Spanish World*

<sup>47</sup> Herbert and Milner, *South-East Asia*.

<sup>48</sup> Barrows, *A History of the Philippines*.

<sup>49</sup> Tim Vasquez, "Clark Air Base: History and Significant Events," <http://clarkab.org/history>.

<sup>50</sup> U.S. Department of State, Office of the Historian, "The Philippine-American War, 1899-1902," <https://history.state.gov/milestones/1899-1913/war>.

<sup>51</sup> U.S. Department of State, "The Philippine-American War."

<sup>52</sup> U.S. Department of State, "The Philippine-American War."



The Filipino people continually sought peace and freedom, though these hopes were often fleeting. One day after the attack on Pearl Harbor, December 8, 1941, Japan attacked Clark Air Base.<sup>53</sup> Approximately 80,000 American and Filipino forces retreated down the Bataan Peninsula to Corregidor ("the Rock"), awaiting reinforcements under the command of General Douglas MacArthur. The reinforcements did not come. On March 11, 1942, MacArthur left, reaching Mindanao before going to Australia vowing to come back in his famous statement, "I shall return."<sup>54</sup> On April 9, 1942, the U.S. surrendered the Bataan Peninsula to Japan. The Japanese forced Filipinos and Americans on the infamous 65-mile Bataan Death March.<sup>55</sup>

During World War II, the Chinese fought alongside the Filipinos until the Japanese surrender on September 2, 1945. Nearly one million Filipinos were killed, many of Chinese descent. Manila, the 'Pearl of the Orient' was destroyed, which left a permanent impression, reminding Filipinos of the consequences of war.<sup>56</sup> Philippine policies have been impacted by the scars of World War II and the reminders of what happened during the Vietnam War. Filipinos fervently want to protect their country as demonstrated in their quest to safeguard their Exclusive Economic Zone but are hesitant of lighting the tinderbox of U.S.-China rivalry that could explode, wreaking havoc across the country.

With the 1946 Treaty of Manila,<sup>57</sup> the United States granted the Philippines its independence. Manuel Roxas, the Philippines' first president, granted amnesty to those who

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<sup>53</sup> Vasquez, "Clark Air Base."

<sup>54</sup> Karen Harris, "‘I Shall Return’: General MacArthur's Promise," *History Daily*, March 19, 2019.

<sup>55</sup> Vasquez, "Clark Air Base."

<sup>56</sup> James M. Scott, *Rampage: MacArthur, Yamashita, and the Battle of Manila* (New York: W.W. Norton & Company, 2019).

<sup>57</sup> United Nations, No. 88. United States of America and Philippines, July 4, 1946.

collaborated with the Japanese during World War II. The U.S. gave the Philippines \$800 million to rebuild in exchange for the signing of the 1946 Bell Trade Act,<sup>58</sup> though a parity clause was seen as being excessive and unfair. In 1947, the Philippines and U.S. signed a 99-year lease for the use of naval bases in the Philippines,<sup>59</sup> though this was later reduced to 25 years. After President Roxas died, President Quirino (1948-1953) took office. In 1951, the U.S. and the Philippines signed the Mutual Defense Treaty agreeing to support each other if attacked by an external party.<sup>60</sup>

Ferdinand Marcos, whose dictatorship instituted martial law, served for twenty years. Policies today regarding term limits, corruption, and governance are a result of his graft, opulence, and brutality.<sup>61</sup> Marcos was the president when the Association of Southeast Asian Nations (ASEAN) was created. Narciso Ramos, serving as Marcos' foreign secretary, was one of the five founding members of the ASEAN.<sup>62</sup> ASEAN's goal is security through cooperation, dialogue, and trade. Marcos established formal diplomatic ties with China in 1975.<sup>63</sup> Senator Benigno Aquino, Jr., who vocally opposed Marcos, was sentenced to prison where he remained for seven years until he sought refuge in the U.S. After emphatically stating that the Philippines

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<sup>58</sup> Republic of the Philippines, "An Act to Provide for the Trade Relations Between the United States and the Philippines," Commonwealth Act No. 733, *Official Gazette*, July 3, 1946.

<sup>59</sup> Vasquez. "Clark Air Base."

<sup>60</sup> Vasquez. "Clark Air Base."

<sup>61</sup> Portia Reyes, "Claiming History: Memoirs of the Struggle against Ferdinand Marcos's Martial Law Regime in the Philippines," *Journal of Social Issues in Southeast Asia* (July 2018).

<sup>62</sup> Association of Southeast Asian Nations, "History: The Founding of ASEAN."

<sup>63</sup> People's Republic of China. Embassy, Manila, Philippines, "Overview of China-Philippines Bilateral Relations," March 5, 2009.

was worth dying for, Aquino returned from his self-imposed exile. Landing on the tarmac of the Manila Airport on August 23, 1983, he was assassinated.<sup>64</sup>

In a backlash against the Marcos regime, Corazon Aquino, Benigno Aquino, Jr.'s wife, was elected president.<sup>65</sup> Cooperation with China continued during Corazon Aquino's administration. Considered the 'Mother of Asian and Philippine Democracy,'<sup>66</sup> Corazon Aquino's fluency in English, French, Japanese, and Spanish, as well as her native languages, connected her to leaders worldwide. She was known for her "people power" movement<sup>67</sup> and promoted a market economy, oversaw changes in the Philippine Constitution, and supported improvements in civil liberty, human rights, and the resolution of domestic disputes with the communists and Islamist succession movements. She tried in vain to block a Senate vote to for the U.S. leave its military bases in the Philippines,<sup>68</sup> but later negotiated the closure of Clark Air Base and Subic Bay Naval Complex, America's largest overseas naval base.<sup>69</sup> The Philippine senate no longer wanted the 'imperial power' to remain and voted against a new treaty that would allow them to remain.

Gloria Macapagal-Arroyo followed as the Philippine president, serving from 2001-2010. Her presidency became embroiled in corruption scandals, including one with ZTE, a Chinese

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<sup>64</sup> Paul Quinn-Judge, "Assassination of Aquino Linked to Power Struggle for Successor to Marcos," *The Christian Science Monitor*, September 7, 1983.

<sup>65</sup> Santosh Digal, "Cory Aquino, the First Woman President in Asia and Symbol of Democracy, Dies," *AsiaNews*, August 1, 2009.

<sup>66</sup> Digal, "Cory Aquino."

<sup>67</sup> "Former Philippines President Aquino Dead At 76," *National Public Radio Online*, July 31, 2009.

<sup>68</sup> "Former Philippines President Aquino Dead At 76."

<sup>69</sup> Vasquez, "Clark Air Base."

telecommunication company.<sup>70</sup> The Philippines needed a reliable broadband network that ZTE offered. In a series of negotiations, it is alleged that high-ranking officials took money in exchange for the \$329-million ZTE-National Broadband Network contract.<sup>71</sup> Embroiled in a political crisis over the sequence of events, President Arroyo met with Chinese President Hu Jintao, explaining apologetically that she had no choice but to cancel the contract.<sup>72</sup> She had once called China, the Philippines' "Big Brother."<sup>73</sup>

These allegations of corruption in the ZTE broadband project only add to cynicism concerning the [Philippine] Government's commitment to root out corruption and certainly have the potential to weaken the Arroyo administration...China's use of soft power in the Philippines has given it another bruising lesson in the role of a free press and political opposition in a democracy. The current problems are likely a temporary setback for China and the Philippines, as bilateral trade and policy ties continue to rise in concert with the growth in China's economy and influence...Since reciprocal state visits by Philippine President Gloria Macapagal-Arroyo and PRC President Hu Jintao in late 2004 and 2005, the Philippines has signed dozens of agreements with China on a wide range of economic, political, cultural, and military issues."<sup>74</sup>

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<sup>70</sup> Jojo Malig, "Arroyo Corruption Scandal Weakened China Influence," WikiLeaks Cables.

<sup>71</sup> U.S. Department of State, U.S. Embassy, Manila, Philippines, "Limits of Chinese Soft Power in the Philippines," Cable 08MANILA998, April 28, 2008.

<sup>72</sup> Malig, "Arroyo Corruption Scandal."

<sup>73</sup> U.S. Department of State, "Limits of Chinese Soft Power."

<sup>74</sup> U.S. Department of State, "Limits of Chinese Soft Power."

During President Macapagal-Arroyo's tenure, trade volume increased 10-fold, and they set aside their territorial claims in the Spratlys to cooperate defensively.<sup>75</sup> After serving as the Philippine President, until 2019, she served as the first female Speaker of the Philippine House of Representatives, though her popularity plummeted.

Territorial disputes between the Philippines and China existed for decades but became enflamed during Benigno Simeon Aquino III's presidency. While he sought to liberalize and reform the country, shortly after his election, Aquino's administration faced a political challenge. On August 23, 2010, a Philippine police officer hijacked a bus with twenty-one Hong Kong tourists in which eight hostages were killed after an eleven-hour standoff. The 'Manila Hostage Crisis,' as it became known, strained relations with China. Chinese Premier Wen Jiabao requested that the Philippine government respond to the families of the victims and provide compensation.<sup>76</sup> In 2018, Duterte apologized to China on behalf of the Philippine people for the events that unfolded.<sup>77</sup>

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<sup>75</sup> U.S. Department of State, "Limits of Chinese Soft Power."

<sup>76</sup> People's Republic of China, Embassy, "Wen Jiabao Meets with Philippine President Aquino in Ziguangge, Zhongnanhai," September 1, 2011.

<sup>77</sup> Republic of the Philippines, "President Duterte Apologizes for Manila Hostage Crisis," News Release, Presidential Communications Operations Office, April 13, 2018.

After a tense standoff in 2012 over Scarborough Shoal,<sup>78</sup> in which China took possession of the land previously held by the Philippines, President Aquino signed the Enhanced Defense Cooperation Agreement in 2014 with U.S. President Barack Obama, which provided the opportunity for the U.S. return to the Philippines.<sup>79</sup> When China increased its land reclamation project constructing landmasses in the Spratly Islands off the Philippine coast, President Aquino brought the case, *Philippines v. China*, to the International Court of Justice (ICJ), initiating a two-year tribunal. On July 12, 2016, the ICJ's



Figure 2. South China Sea Major Crude Oil Trade Flows. Source: U.S. Energy Information Administration, Lloyd's List Intelligence, GTI Global Trade Atlas, Center for Naval Analyses, 2011.

Permanent Court of Arbitration (PCA) ruled that the Philippines had the right to the shoals and outcroppings in its Exclusive Economic Zone (EEZ).<sup>80</sup> Shortly afterward, Rodrigo Duterte was elected president for a six-year term. Aquino did not run again due to term limits.

Duterte charted a new course for the Philippines. With his Anti-American rhetoric and determined friendship with China, Duterte U-turned Philippine foreign affairs east toward

<sup>78</sup> Michael Green et al., "Counter-Coercion Series: Scarborough Shoal Standoff," *Asian Maritime Transparency Initiative, Center for Strategic and International Studies*, May 22, 2017.

<sup>79</sup> Renato Cruz De Castro, "Philippine Supreme Court Approves EDCA: Unlocking the Door for the Return of U.S. Strategic Footprint in Southeast Asia," *Asian Maritime Transparency Initiative, Center for Strategic and International Studies*, February 1, 2016.

<sup>80</sup> United Nations, Permanent Court of Arbitration, "In the Matter of the South China Sea Arbitration," 2016.

Asia.<sup>81</sup> Duterte's election victory gave him the power to right what he perceived were the wrongs of the past, denounce American imperialism, and court the billions of infrastructure dollars China offered.<sup>82</sup> He kept his promise to wipe out drugs and crime, though his method, using extrajudicial killing, is gruesome and against what the West deems as moral. All of this occurred while maintaining high approval ratings.

The South China Sea (SCS) is a strategic center for world commerce. One-third of the world's shipping<sup>83</sup> and 3.37 trillion dollars<sup>84</sup> in trade passes through each year. Forty percent of China's trade passes through the South China Sea.<sup>85</sup> Five countries rely on the SCS for more than 50 percent of their total trade: Vietnam (86 percent), Indonesia (85 percent), Thailand (74 percent), Singapore (66 percent), and Malaysia (58 percent).<sup>86</sup> Natural resource estimates include 11 billion barrels of crude oil and 190 trillion cubic feet of natural gas reserves<sup>87</sup> along with billions more of oil and natural gas believed to exist.<sup>88</sup> Trillions of dollars are at stake in natural

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<sup>81</sup> Prashanth Parameswaran, "Why the Philippines' Rodrigo Duterte Hates America: A Deeper Look at the Philippine President's Anti-American Views," *The Diplomat*, November 1, 2016.

<sup>82</sup> Parameswaran, "Why the Philippines' Rodrigo Duterte Hates America."

<sup>83</sup> United Nations, "Review of Maritime Transport 2016," United Nations Conference on Trade and Development.

<sup>84</sup> Center for Strategic and International Studies, "How Much Trade Transits the South China Sea?" *ChinaPower*, 2019.

<sup>85</sup> Center for Strategic and International Studies, "How Much Trade."

<sup>86</sup> Ankit Panda, "How Much Trade Transits the South China Sea? Not \$5.3 Trillion a Year?" *The Diplomat*, August 7, 2017.

<sup>87</sup> U.S. Energy Information Administration, "South China Sea Overview," Updated February 7, 2013.

<sup>88</sup> Ralf Emmers, *Geopolitics and Maritime Territorial Disputes in East Asia* (New York: Routledge, 2010), 77.

resources. At the same time, China consumes 34 percent of the global fish supply.<sup>89</sup> Thus, some claim the real dispute in the SCS surrounds fish, not oil.<sup>90</sup> More than half of the world's fishing vessels operate in the SCS,<sup>91</sup> which comprises less than one percent of the world's surface area of water.<sup>92</sup> Furthermore, 3.7 million workers are employed in this small region.<sup>93</sup>

Meanwhile, China has built airstrips, airplane hangars, mobile missile shelters, and military armaments on top of seven previously mostly-submerged coral reefs.<sup>94</sup> With six countries maintaining maritime claims in the highly contested SCS, a 2016 International Court of Justice (ICJ) ruling against China<sup>95</sup> regarding these claims, and China's massive

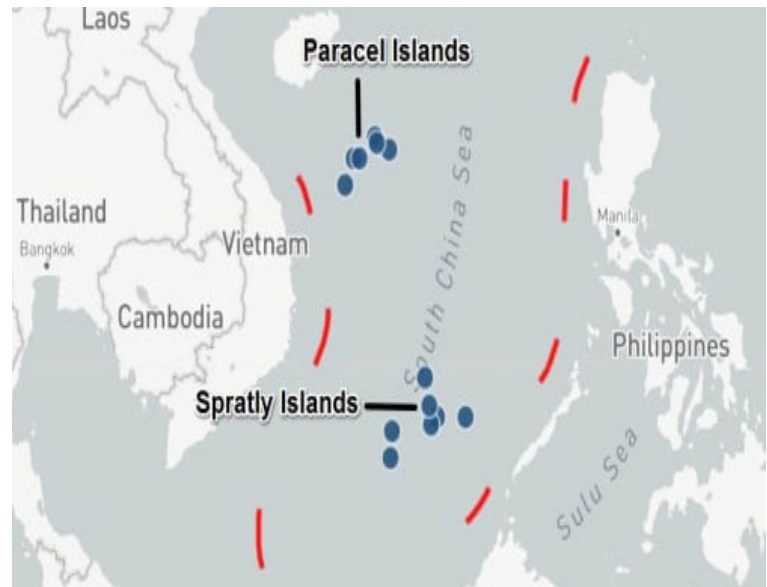


Figure 3. Map Indicating the Location of the Militarized Artificial Islands within the Exclusive Economic Zone (EEZ) and their Relation to Surrounding States.

Source. China Upped the Ante by Installing Missiles at Key South China Sea Outposts. CNB, 2018.

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<sup>89</sup> Rachel Bale, "One of the World Center for Strategic and Intl Studies, August 16, 2016.

<sup>90</sup> Fridtjof Nansens Institute, "Fish, Not Oil, at the Heart of the South China Sea Conflict," October 24, 2017.

<sup>91</sup> Fridtjof Nansens Institute, "Fish, Not Oil."

<sup>92</sup> Central Intelligence Agency, "The World FactBook," 2020. The surface area of the SCS is 3,595,900 sq km while the surface area of water on Earth is 361,132,000. Thus,  $3,595,000/361,132,000 = 0.009957$  or slightly less than 1% of the Earth's water surface area is located in the SCS.

<sup>93</sup> Fridtjof Nansens Institute, "Fish, Not Oil."

<sup>94</sup> Center for Strategic and International Studies, "Occupation and Island Building," Asia Maritime Transparency Initiative, 2020.

<sup>95</sup> United Nations, Permanent Court of Arbitration, *The South China Sea Arbitration*.



infusion of strategic investment money into regional states to gain political favor,<sup>96</sup> these waters are a hotbed of volatility.<sup>97</sup> Overflight is also affected by China's increasingly aggressive airspace stance since planes use the skies for commerce, tourism, and security.<sup>98</sup>

The importance of the SCS cannot be overstated. Approximately 83,000 vessels pass through the Strait of Malacca, from the SCS to the Indian Ocean, each year compared to 17,000 through the Suez Canal and 14,000 through the Panama Canal.<sup>99</sup> Eighty percent of China's 2016 oil imports went through the Strait and up through the SCS.<sup>100</sup> Rampant uncertainty in the Associations of Southeast Asian Nations (ASEAN)<sup>101</sup> regarding the impact of the U.S.-China trade war,<sup>102</sup> U.S. security commitments,<sup>103</sup> and China's intentions complicate efforts to maintain regional stability, particularly in the face of the perceived decline of the U.S. and rise of China.<sup>104</sup> A 2019 survey of ASEAN leaders with 1,008 respondents from multiple sectors of Southeast Asian society reported, “59.1 percent of respondents said U.S. power and influence had either deteriorated or deteriorated substantially, while 68.1 percent were unsure of or had

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<sup>96</sup> Philip Heijmans, "China's Plan to Buy Influence and Undermine Democracy," *The Atlantic*, October 18, 2017.

<sup>97</sup> Benjamin Herscovitch, “A Balanced Threat Assessment of China’s South China Sea Policy,” *Cato Institute*, August 28, 2017.

<sup>98</sup> Edmund J. Burke and Astrid Stuth Cevallos, *In Line or Out of Order? China's Approach to ADIZ in Theory and Practice* (Santa Monica, CA: Rand Corporation, 2017).

<sup>99</sup> ArcBest, "Major Shipping Routes for Global Trade," 2018.

<sup>100</sup> Center for Strategic and International Studies, "How Much Trade?"

<sup>101</sup> Association of Southeast Asian Nations Members include Brunei, Cambodia, Indonesia, Laos, Philippines, Malaysia, Myanmar, Singapore, Thailand, and Vietnam.

<sup>102</sup> Associated Press, “ASEAN Leaders Call for Restraint in Disputed South China Sea, as US-China Trade War Rages On,” *South China Morning Post*, June 23, 2019.

<sup>103</sup> Rohana Prince, “Southeast Asia—It’s All in the Numbers,” *CSIS*, February 14, 2019.

<sup>104</sup> Elena Atanassova-Cornelis, “Strategic Concerns of the US and China, Regional Hedging and the Evolving Security Order in the Asia-Pacific ISA Asia-Pacific Conference,” June 25-27, 2016, Hong Kong.

little to no confidence in the United States as a strategic partner and provider of regional security. Approximately 73.3 percent said China had the most influence economically over Southeast Asia, while only 7.9 percent selected the United States."<sup>105</sup>

Underlining this growing crucible of uncertainty and conflict is what Noah Feldman calls a "cool war."<sup>106</sup> Six countries, Brunei, China, Indonesia, Malaysia, Philippines, Taiwan, and Vietnam, maintain maritime claims in the highly contested SCS. These claimant states clash over territory and resources. However, China claims nearly all of the South China Sea<sup>107</sup> within a nine-dashed line<sup>108,109</sup> based on what it calls its 'historic claim' roughly drawn with eleven dashes on a 1947 map (two dashes were removed). Despite controversy and altercations, China has not formally filed and specifically defined their international claim.

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<sup>105</sup> Prince, "Southeast Asia—It's All in the Numbers."

<sup>106</sup> Noah Feldman, *Cool War: the United States, China, and the Future of Global Competition* (New York: Random House, 2013).

<sup>107</sup> Yasunori Nakayama, "China's Claims on the South China Sea are a Warning to Europe," *Financial Times*, April 7, 2019.

<sup>108</sup> United Nations, *Nine-dashed Line Submission to the United Nations by China Taken from an Original 1951 Map*, 2009.

<sup>109</sup> Chris Chung, "Drawing the U-Shaped Line: China's Claim in the South China Sea, 1946-1974," *Modern China* 42 (2015): 19-20.



Figure 4. A Detailed look at the Parameters of the Exclusive Economic Zone.  
Source. "Make Law, Not War. *Economist*, August 25, 2012.

According to the Asia Maritime Transparency Initiative, China has established outposts on twenty-eight island features (20 in the Paracel Islands, 7 in the Spratly Islands, and Scarborough Shoal).<sup>110</sup> China's apparent expansionist agenda, as evidenced by the militarization of islands in the SCS,<sup>111,112</sup> threatens to inhibit the sovereign rights of claimant states.<sup>113</sup>

The United Nations Convention on the Law of the Sea (UNCLOS), developed to provide a structure for maritime rules and responsibilities, went into force in 1994 and has been ratified by 167 states,<sup>114</sup> including all six claimant countries in the SCS: Brunei, People's Republic of

<sup>110</sup> Center for Strategic and International Studies, Asia Maritime Transparency Initiative. "Occupation and Island Building," 2020.

<sup>111</sup> Ashley Townshend and Rory Medcalf, "Shifting Waters: China's New Passive Assertiveness in Asian Maritime Security," *Lowy Institute for International Policy*, 2016.

<sup>112</sup> John W. Lewis and Xue Litai, "China's Security Agenda Transcends the South China Sea," *Bulletin of the Atomic Scientists* 72, no. 4 (2016): 212-21.

<sup>113</sup> Nandita Rose, "U.S. State Department Says Concerned by Reports of Chinese interference in South China Sea," *Reuters*, July 20, 2019.

<sup>114</sup> United Nations, List of states that have ratified UNCLOS, last updated August 4, 2019, "United Nations Convention on the Law of the Sea," 1982. By 1994, UNCLOS has been signed by 168 parties, 167 states.

China (PRC), Malaysia, Philippines, Republic of China (ROC, Taiwan), and Vietnam. The salient features of UNCLOS include provisions for navigation, airspace, natural resources, environment, fishing, and shipping along with 12-mile coastal state sovereignty and a 200-mile continental shelf and sea area Exclusive Economic Zone (EEZ).<sup>115</sup>

While the politics, petroleum, and protein controversy<sup>116</sup> is a geostrategic concern, the bigger problem is China's enlarging global security perimeter<sup>117</sup> along with its expansive economic, commercial, and military reach through its Belt and Road Initiative (BRI)<sup>118</sup> and Maritime Silk Road.<sup>119</sup> China's string of pearls positioning<sup>120</sup> continues to be implemented through its three-link strategy: (1) transportation, (2) commerce, and (3) communication.<sup>121</sup> China has developed strategic maritime linkages along the China-Pakistan-Africa Economic Corridor<sup>122</sup> with its port in Gwadar, 99-year lease on Sri Lanka's port in Colombo,<sup>123</sup> People's Liberation Army Naval (PLAN) military center in Djibouti, Suez Canal Economic Zone

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<sup>115</sup> United Nations, "United Nations Convention on the Law of the Sea."

<sup>116</sup> Adam Greer, "The South China Sea Is Really a Fishery Dispute," *The Diplomat*, July 20, 2017.

<sup>117</sup> Office of the Secretary of Defense, "Annual Report to Congress: Military and Security Developments Involving the People's Republic of China 2019."

<sup>118</sup> Andrew Chatzky and James McBride, "China's Massive Belt and Road Initiative," *Council on Foreign Relations*, January 28, 2020.

<sup>119</sup> Michael J. Green, "China's Maritime Silk Road: Strategic and Economic Implications for the Indo-Pacific Region," *CSIS*, April 2, 2018.

<sup>120</sup> Christopher J. Pehrson, "String of Pearls," *Strategic Studies Institute*, July 2006.

<sup>121</sup> Zhiling Lin and Thomas W. Robinson, *The Chinese and Their Future: Beijing, Taipei and Hong Kong* (Washington, D.C.: American Enterprise Institute, 1994). The text describes Deng Xiaoping's economic reform, December 1978 at the Third Plenum of the 11th Central Committee of the Communist Party of China.

<sup>122</sup> David Brewster, "China's New Network of Indian Ocean Bases," *Interpreter*, January 30, 2018.

<sup>123</sup> Chatzky and McBride, "China's Massive Belt and Road Initiative."

(SCZone), and an eye to building a rival Panama Canal through Nicaragua. China is planning a second military base in Pakistan at Jiwani that can accommodate 500,000 troops and another in Tanzania.<sup>124</sup> China's string of pearls<sup>125</sup> has wrapped around India, dotting the Eurasian and East African maritime coastal regions with existing and planned deepwater ports and military bases.

#### Mischief Reef and Scarborough Shoal Incidents

Claimant states began planting their flags on rock outcroppings, some barely visible at low tide, a flashpoint incident happened on Mischief Reef, 150 miles west of Palawan, in 1995. The Philippines, claiming that reef awoke to find a Chinese flag on 'their' territory in their EEZ. On February 2, 1995, the Philippine government confirmed that China had taken the reef in a stealth claim. This incident drew immediate alarm from neighboring states.

Then-President Fidel Ramos asserted that his action changed the status quo in the area. Chinese leaders insisted that the act was not a military activity, but rather an effort to support Chinese fishermen in the area. The intent, they stated, was not to pose a threat. President Ramos met with Chinese President Jiang Zemin and agreed to settle their differences peacefully.

With the Americans pushed out of Clark Air Base and Subic Bay Naval Base in June 1991, the associated protections were gone, which left a vacuum for claimant states to encroach on states' EEZ. After Philippine protests and international outrage regarding Mischief Reef, states moved in to secure their position on 'landmasses' of any size.

ASEAN states met in workshops starting in January of 1990 to discuss their claims of the islands and reefs in the disputed region. Each time, they agreed to settle the disagreements

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<sup>124</sup> Chatzky and McBride, "China's Massive Belt and Road Initiative."

<sup>125</sup> Lindsay Hughes, "String of Pearls Redux: China, India and a Cambodian Base," *Future Directions International*, May 21, 2019.

peacefully and exercise self-restraint. Nevertheless, conflicts continued. The most difficult of these for the Philippines occurred at Scarborough Shoal held by the Philippines.

On April 8, 2012, eight Chinese fishing vessels were spotted anchored off Scarborough Shoal by a Philippine aircraft. The Philippine Navy traveled to the shoal and confirmed this presence. On April 10, 2012, the BRP Gregorio del Pilar approached the Chinese craft to inspect the catch and found that coral, giant clams, and live sharks were illegally collected. When the Philippines attempted to arrest the Chinese fishermen, they were stopped. A standoff occurred whereby neither would back down.

The Philippines attempted to invoke the 1951 Mutual Defense Treaty (MDT). The United States dragged its feet while China became more persistent. The United States did not acknowledge the rock outcroppings as part of the MDT agreement and were both hesitant and vague about what they were willing to do to support the Philippines during this crisis. The infamous Scarborough Shoal Standoff ensued with a fierce diplomatic battle. The timeline, stakeholders, and their actions are provided in this timeline.<sup>126</sup>

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<sup>126</sup> Green et al., "Counter-Coercion Series."

Table 1. Timeline Outlining the Events in the Scarborough Shoal Standoff.

<u>Timeline</u>			
	China	Philippines	United States
<b>Phase I: Philippine navy detains Chinese fishermen</b>			
Apr 8	Fishermen seen at shoal	Deploys naval frigate	
Apr 10	Coast guard responds	Navy begins arrests	
Apr 12-13	Deploys armed ship, withdraws other vessels	Replaces frigate with coast guard vessel	
<b>Phase II: Standoff ensues when initial negotiations fail</b>			
Apr 13	Both refuse to be the first party to withdraw		
Apr 17-22		Calls for arbitration, ASEAN's support	Affirms (vague) alliance commitment
Apr 23	Withdraws over horizon	Deploys second vessel	
<b>Phase III: Manila seeks U.S. help while China escalates</b>			
Apr 26	Threatens military escalation	Calls for maximum U.S. intervention	
Apr 28-30	Vessels return and harass Philippine ships	Consultations result in only indirect U.S. support	
May 3	Quarantines fruit imports		
<b>Phase IV: New talks lead to some de-escalation</b>			
May 26-27	Back channel talks end fruit quarantine, some Chinese ships depart		
early Jun	U.S.-brokered negotiations occur, but unclear whether deal reached		
Jun 15	Presence peaks at sea	Withdraws all vessels	
<b>Phase V: Final negotiations fail to restore status quo ante</b>			
Jun 17-18	Denies existence of deal	Publicizes alleged agreement	
late Jun	Ships return/remain		
Jul	Erects barrier across lagoon	ASEAN fails to give support	

Source: *Council on Foreign Relations*.<sup>127</sup>

The dispute ignited when China stopped Philippine banana shipments claiming that they did not pass their strict quarantine restrictions. Fu Ying, Vice Minister of Foreign Affairs, declared to Alex Chua, Chargé d'Affaires of the Philippine Embassy in Beijing, that Manila was “severely damaging the atmosphere of the bilateral relations between China and the Philippines”<sup>128</sup> and saying that the Philippines should withdraw all vessels from China’s waters in the South China Sea.

<sup>127</sup> Green et al., "Counter-Coercion Series."

<sup>128</sup> Jane Perlez, "Dispute between China and the Philippines over Island Becomes More Heated," *New York Times*, May 10, 2012.

Ultimately, the Philippines backed down since they were outnumbered and did not want to escalate the tensions. Outraged by another instance where China forcibly took over islands in the Philippines' EEZ, public support swelled for President Benigno Aquino to take some action. The Philippines went to the International Court of Justice of arbitration and persisted in a trial that lasted for more than three years. China did not participate and did not agree with the outcome on the grounds that it had a historic right to the South China Sea.

In 2016, The Hague ruled unanimously, under UNCLOS, that "China had no legal basis for claiming historic rights over most of the contested waterway."<sup>129</sup> However, the international court ruling was unenforceable. "With no authority to enforce its ruling, and China, which has denounced the verdict and boycotted the legal process, the result is a test of international law."<sup>130</sup>

The case stands as a test of the weakness of international law as other claimant states reclaim 'land' and constructed artificial islands in which they claim sovereignty. Some have been militarized with airstrips, radar stations, communications networks, underground storage facilities, aircraft hangars, barracks, and mobile missile shelters.<sup>131</sup> While some call these islands "great walls of sand," they are more than sand now. Unabated, China acts with impunity on its "historic claim" to the South China Sea, despite the international ruling.

Bonnie Glaser, an analyst for the Center for Strategic and International Studies, states that "Conflict in the South China Sea would put at risk the more than \$5 trillion in trade that

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<sup>129</sup> James Borton, "Preface," *Islands and Rocks in the South China Sea: Post-Hague Ruling* (Bloomington, IN: Xlibris, 2017), xiii.

<sup>130</sup> Borton, *Islands and Rocks in the South China Sea*, xiv.

<sup>131</sup> Center for Strategic and International Studies, Asia Maritime Transparency Initiative, "China's Big Three Near Completion," Updated June 29, 2017.



passes through those strategic waters annually."<sup>132</sup> However, without legally-binding agreements, countries can act in their self-interest without penalty. Thus, legal and organizational agreements like UNCLOS and the Permanent Court of Arbitration's decision in *Philippines v. China* lacks the backbone to be upheld. Tensions in areas off the Philippine coast have continued since the 2016 decision, including skirmishes in 2019.

Duterte's insistence that he does not want a proxy war on Philippine territory between the United States and China, his dismissive take on China is designed to avoid conflict. The result would be devastating, and ASEAN states would be the biggest losers. "Some sophisticated analysts think that it would be strategically foolish for China to try to compete with American military dominance while simultaneously trying to grow its economy."<sup>133</sup> Diplomatic efforts and the continued development of a Code of Conduct (COC) in the SCS.

During Duterte's administration, relations between the Philippines and China have improved significantly. After China stated that it would now acknowledge the determination, it indicated that they were willing to make agreements individually regarding the state's claims. The Philippines have been in discussions regarding the joint exploration of natural resources.

However, recent aggressive behaviors of Chinese paramilitary 'fishing boats' in the Spratly Islands have threatened to thwart this cooperation. Chinese actions have exacerbated domestic tensions, reawakened security concerns, and emphasized the need for the international rule of law. Meanwhile, by conducting Freedom of Navigation Operations (FONOPs), the United States continues to challenge China's nine-dashed line claim by rebuilding alliances with

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<sup>132</sup> Bonnie Glaser, "Conflict in the South China Sea," *Council on Foreign Relations*, April 7, 2015.

<sup>133</sup> Noah Feldman, *Cool War: the United States, China, and the Future of Global Competition* (New York: Random House, 2013), 11.

ASEAN states. The U.S. Congress passed the Asia Reassurance Initiative Act (ARIA) in 2018.<sup>134</sup> ARIA provides funding to advance U.S. foreign policy interests in the South China Sea, and both partner with states and improve their defense capacity. The goal is to create a cohesive diplomatic strategy by collaborating with allies in the South China Sea and create a rules-based international order and an agreed-upon Code of Conduct.

With the militarization of artificial islands, the period of relative calm appears to have ended as states consider the uncertainty in signaling, weighing, and prognosticating perceptions and motives. As states exert their claims of sovereignty in the South China Sea, as recently as the spring of 2019, Chinese vessels have surrounded Pagasa (Thitu) Island in the Philippine EEZ and prevented President Duterte from upgrading its runways.

The question that lingers is: Will Duterte's hedging gamble by befriendings Xi Jinping pay off, or will it end like Sri Lanka's surrender of Hambantota Port, loss of sovereignty, the sacrifice of lawful natural resources, or regional military conflict?

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<sup>134</sup> ARIA was signed into law on December 31, 2018.

## Chapter IV.

### Analysis

As opposed to Aquino III's diplomatic approach, Duterte's hedging stance is measured. Duterte's rhetoric is sometimes jolting, like lightning in a thunderstorm. Meanwhile, he keeps two great powers at bay just outside the Philippine archipelago. Duterte vocally proclaims his friendship with China, distrust for America, and insistence that it is America's fault that China has built the islands nearby the Philippines in the South China Sea.

In 1991, when an agreement could not be reached between the United States and the Philippines over Clark Air Base and Subic Bay Naval Base, the United States left. Although the 1951 Mutual Defense Treaty was in place, this was insufficient for the United States to be willing to engage during the 1995 Mischief Reef incident despite U.S. naval craft in the South China Sea. After a similar event with the 2012 Scarborough Shoal Standoff during the Obama administration, when the United States did not come to the Philippines' rescue when China's warships threatened the Filipino navy and fishermen, despite President Aquino's requests. The U.S. was seen as a paper tiger.



Figure 5: Location of Clark Air Base Source. [Kinaforum](#). At Clark Air Base in the Philippines, Ghosts of U.S. Power. September 8, 2019

The Filipino people were afraid of China but sensed that the United States could not be counted on during a threat to their sovereignty, despite their agreements. The Philippines expected the United States to defend the territory. Instead, they distanced themselves using diplomatic channels and verbal protests to counter the eight Chinese ships. President Obama was unwilling to back up the treaty since the conflict would only be about a few rocks and hardly

enough to endanger the troops. Soon, the empty promises impressed upon the nation and other states worldwide that the United States was an unreliable ally. The Philippines could not trust China but did not feel that they could trust the United States either.

The Philippines had not brought together a robust navy, despite its geography with 7,641 islands. Initially, the hope was that the United States had the manpower and gumption to protect the Philippines, though they did provide support to combat terrorism in the southern islands. Little hope remains for U.S. military support in times of crisis. Particularly with the militarization and growth of its artificial islands, there equally low confidence that the PRC will slow its territorial ambitions.

China's aggressive acts surrounding the Pagasa Islands occurred in early 2019, before the May 2019 elections forced Duterte to back down a step from his typical pro-China stance. A Philippine Department of Foreign Affairs statement explains, "The Pagasa Islands are part of the Kalayaan Island Group (KIG), which is an integral part of the Philippines over which it has sovereign rights and jurisdiction. Accordingly, the presence of Chinese vessels near and around Pagasa and other maritime features in the KIG is illegal."<sup>135</sup>

Duterte, in a rare moment of forward-facing angst toward China, on April 5, 2019, Duterte accused China of violating its sovereignty. "Lay off" the disputed islands in the South China Sea, Duterte remarked, saying that his comment was merely 'friendly advice' and not a warning. The tensions rose as the Philippine military described more than 200<sup>136</sup> boats,

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<sup>135</sup> Philippine Department of Foreign Affairs, "Statement: On the Presence of Chinese Vessels Near and Around Pagasa," April 4, 2019.

<sup>136</sup> Satellite photos have spotted 275 Chinese vessels near Thitu Island, sighted 657 times from January to April 2019. Richard Heydarian, "How a Swarm of Chinese Fishing Vessels Could Swamp Duterte's Effort to Strengthen Philippines-China Ties," *South China Morning Post*, April 10, 2019.

considered China's paramilitary, 'maritime militia' disguised as non-fishing trawlers surrounded Pagasa (Thitu) Island, a member of the Spratly Islands, over which it maintains jurisdiction. Edgard Arevalo, a spokesman for the Armed Forces of the Philippines (AFP), said that these Chinese vessels were most likely establishing "their [strategic] presence in the area" where Filipino fishermen frequently fish. Caught in the crossfire of politics, they were blocked from returning to Pagasa Island's village. The Filipinos living on the island had been preparing to revitalize their airstrip. The Chinese thwarted that plan by actively preventing Philippine island reconstruction. Afterward, Duterte responded to the West Philippine Sea<sup>137</sup> altercation. "I will not plead or beg," Duterte said in a public statement, repeating that he would not go to war with China. Yet, he would have his soldiers "prepare for a suicide mission,"<sup>138</sup> insisting China's aggressive actions were illegal.

Meanwhile, the Chinese did not deny their presence. China's lack of response set off a firestorm of warnings within the Philippines of China's "coercive objectives" despite Duterte's rapprochement in exchange for pledged access to 24 billion dollars in pledged loans and investment.

As Duterte continues to describe China as "our friend," the Philippine and Chinese representatives are engaged in bilateral talks to resolve the problem peacefully. The Philippines ministry filed a diplomatic protest and issued the statement, "We call on concerned parties to desist from any action and activity that contravenes the ASEAN-China Declaration on the

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<sup>137</sup> The West Philippine Sea is the name the Filipinos use for the South China Sea of their west coast.

<sup>138</sup> Reuters, "Philippine President Rodrigo Duterte tells China to 'Lay Off' Island in Disputed South China Sea," *South China Morning Post*, April 5, 2019.

Conduct of Parties in the South China Sea, as these generate tension, mistrust and uncertainty, and threatens regional peace and stability.”<sup>139</sup>

In a move to reassure the Philippines, United States' Secretary of State, Mike Pompeo, told Philippine representatives that the United States would uphold its obligations and defend the Philippines against an “armed attack” under Article 4 of the Mutual Defense Treaty. This statement may have been too little too late as the trust had been broken. Yet, this was the first time a cabinet-level U.S. representative publicly announced an official intent to defend the Philippines.

Meanwhile, sensing the possibility of the warming of relations, representatives from China exclaimed that it was not necessary for the United States “to be deliberately provocative or stir up trouble.” After a diplomatic meeting, Chinese foreign ministry spokesman said, “China looks forward to working with the Philippines to make active efforts to safeguard the overall interests of China-Philippines cooperation and peace and stability in the South China Sea.” Momentarily, Duterte warmed to the United States. Hedging uncertain future provocation, Philippine representatives began talks with the United States to purchase a rocket system that could hold off a Chinese attack as well as additional support for the Philippines to modernize their military.

Tensions between China and the ASEAN state have only grown stronger. The U.S. presence, during Trump's presidency, has intensified. On April 9, 2019, Peking University's Institute of Ocean Research released a report called South China Sea Strategic Situation Probing Initiative that contends that grey zones between peace and conflict will exacerbate the possibility of small-scale armed conflict. It concludes. “On the one hand, it is imperative that China and the

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<sup>139</sup> Reuters, "Philippine President Rodrigo Duterte.”

US enhance the quality of dialogue on maritime strategies and policies to ease the intensified geopolitical and strategic competition; on the other, extra-regional powers, including Japan, Australia, and the UK, should shoulder the responsibility to ease the tensions over the waters, as their choices would make all the difference for the strategic competition in the South China Sea to be under control.”<sup>140</sup>

Nevertheless, while both the Chinese and United States navies began to act with less restraint, the U.S. Navy has increased its FONOPs near the contested islands and reefs. This act appeared to be a provocation and raised concerns among ASEAN states regarding the likelihood of conflict. Zhou Bo, China’s Director of the Center for Security Cooperation, said, “As our capability grows, we are likely to take more actions to counter provocations.” Simultaneously, Vietnam also endeavors to find a long-term solution to prevent altercations and to maintain its sovereignty.<sup>141</sup> Other claimant states are also seeking a more durable and enforceable Code of Conduct (COC) in the South China Sea that prevents dangerous behaviors. Yet, Wu Shicun, head of China’s National Institute for South China Sea Studies warned, “Tension in the South China Sea will rise in the coming year so we must deploy some defensive facilities that are able to overawe American warships entering nearby waters...The Americans would have to think twice before going too far, that we might take counteraction that could threaten their vessels.”<sup>142</sup>

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<sup>140</sup> Peking University Institute of Ocean Research, “South China Sea Strategic Situation Probing Initiative,” Website Launch and South China Situation Report Press Conference, April 16, 2019.

<sup>141</sup> In the article, “Vietnam Wants a South China Sea Dispute Resolution Pact with Teeth, Not More Politics,” there is mention that the ASEAN states and China continue to work toward a Code of Conduct in the South China Sea. Le Hong Heip, “Vietnam Wants a South China Sea Dispute Resolution Pact with Teeth, Not More Politics,” *South China Morning Post*, April 9, 2019.

<sup>142</sup> Liu Zhen, “‘Time for Tougher Deterrence from China’ as US Steps Up Patrols in South China Sea,” *South China Morning Post*, March 29, 2019.

Filipino outcry in 2019 spawned protests and articles condemning China's actions. Duterte must walk a thin line between rapprochement with China to appease his patron lenders and the constituents who perceive China's overreaching. Philippine officials like Elpidio Factor, AFP Western Command's assistant chief for Unified Command Staff for Intelligence, described the mass of vessels as "Chinese maritime militia that are occasionally complemented by the Chinese Coast Guard to sustain China's assertive presence in the vicinity of the sandbars."<sup>143</sup> Estimations include 320,000 Filipino fishermen who have been blocked by Chinese vessels.

Philippine Foreign Secretary, Teodoro Locsin, Jr., threatened that the Philippines would take the issue to the United Nations General Assembly and "fired off a salvo of diplomatic notes against China." On April 4, 2019, the Philippine Department of Foreign Affairs requested the Chinese government withdraw their vessels, stating that they had encroached on "an integral part of the Philippines."<sup>144</sup> Independent experts suggest that the boats belong to the People's Liberation Army Maritime Militia Forces, a Chinese paramilitary group.

These actions have reignited the 2012 flames stoked at the Scarborough Shoal Standoff. In the present situation, the Philippines were attempting to repair its facilities and rehabilitate an area for a runway on Pagasa Island and build structures on nearby Sandy Cay, where the Chinese have deployed warships. Ultimately, Chinese surveillance and intimidation may backfire if they antagonize and embolden the 'friend' they have in the Philippines, forcing them to hedge their predicament with support from the United States. To compound the growing angst, many fear

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<sup>143</sup> Frances Mangosing, "Chinese Sea Militia Swarms Around Pag-asa Island—Military," *Inquirer*, March 30, 2019.

<sup>144</sup> Philippine Department of Foreign Affairs, Statement: On the Presence of Chinese Vessels Near and Around Pag-asa.



that China will use its paramilitary forces against the Philippines and other claimant states as they continue to construct islands unabated in the South China Sea.

Albert del Rosario, head of the Department of Foreign Affairs from 2011-2016 during the presidential administration of Benigno Aquino III (2010-2016), and Conchita Carpio-Morales, a former Ombudsman of the Philippines (2011-2018) and Associate Justice of the Supreme Court (2002- 2011), have decried Chinese aggressiveness against Filipino fishermen as crimes against humanity.<sup>145</sup> Though the outcome may not have teeth, in protest, they filed a case against the Chinese in the International Criminal Court (ICC). On March 15, 2019, Senator Panfilo Lacson praised the pair's actions in filing the complaint as a "patriotic move ... that deserves the support of every freedom-loving Filipino whose duty it is to protect and preserve our country's sovereignty and territorial integrity."<sup>146</sup>

However, in a move that dampened their efforts, just days after the filing, March 17, 2019, President Duterte withdrew the Philippines from the ICC. Furthermore, in an effort to appease the Chinese, Presidential Spokesman Salvador Pameló remarked that the Philippines should thank the Chinese for their maritime rescue center on Fiery Cross Reef. Although this island is a territory contested by the Philippines but occupied by China, the Chinese now have the ability to aid Filipino fishermen in distress. Xinhua News Agency reported that China's rescue center will support maritime rescue operations.

China announced its plans to build another maritime rescue center on Woody Island. This includes "landing docks to search for enemy divers or conduct round-the-clock, all-weather

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<sup>145</sup> The "crimes against humanity" are the dangerous actions, threatening warnings, and gunfire the Chinese have leveled against Filipino fishermen.

<sup>146</sup> Raissa Robles and Meaghan Tobin, "In Philippines, Support Mounts for South China Sea 'Crimes Against Humanity' Case Against Xi Jinping," *South China Morning Post*, March 26, 2019.

coastal patrols and surveillance.”<sup>147</sup> China's goal is to enhance the Paracel Islands with cities on Woody Island, Tree Islet, and Drummond Islet. Zhang Jun, Sansha Communist Party Secretary, presented the development plan for the “national key strategic service and logistics base.”<sup>148</sup> The United States has expressed its discontent with China's aggressive actions and the 'militarization' of the South China Sea.

Shi Yinhong, Renmin University professor specializing in U.S.-China relations, said, “If this is going to be on a large scale and carried out quickly--which I doubt--then the strategic response from the U.S. will be somewhat dramatic, and the rivalry between Beijing and Washington will escalate.... That would jeopardize Beijing’s key priorities, both domestic and international.”<sup>149</sup> He acknowledged that the official statement came from Sansha and not the national government, which may mean Beijing is attempting to keep this expansion plan ‘low-profile.’

China’s aggressive efforts in the Spratly Islands are no longer ‘low-profile’ as media coverage accumulates, particularly in the Philippines. The angst has increased worries that China’s activities seem to be changing the wind direction on the Philippine foreign policy sails. In a fluky storm, changing from hot-to-cold, to-hot again, on April 7, 2019, Foreign Affairs Secretary, Teodoro Locsin tweeted, the U.S. is “the only world power that is a bastion of democracy and human rights, is and will remain our only military ally. We don’t need any

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<sup>147</sup> Zhenhua Lu, “Beijing Plans ‘Strategic Service and Logistics Base’ on Woody Island, Two Islets in South China Sea,” *South China Morning Post*, March 18, 2019.

<sup>148</sup> Lu, “Beijing Plans.”

<sup>149</sup> GCR Staff, "China Plans to Build 'National Logistics Base' in Disputed Waters," *Global Construction Review*, March 22, 2019.

other.”<sup>150</sup> However, previously, in May 2018, Duterte said, speaking in Davos City, that Xi Jinping assured Duterte that China would protect the Philippines. Responding to Duterte’s claim, in May 2018, opposition Senator Leila de Lima said,

No other country has violated international law by building military bases on artificial islands within our Exclusive Economic Zone (EEZ) on the basis of a maritime claim already declared illegal under international law.

No other country among all our neighbors in the South China Sea has unilaterally pushed its maritime borders more than 1,000 kilometers, from 1,400 kilometers to almost just 300 kilometers, by claiming the whole South China Sea.

No other country in the world is threatening our territorial integrity by installing missiles on our backyard. No other country is planning the deployment of tactical fighter and attack aircrafts in the Spratlys capable of reaching Manila in minutes.<sup>151</sup>

At an April 10, 2019, Beijing press conference, Chinese Foreign Ministry Spokesman Lu Kang responded to Philippine spokesman Salvador Panelo added a spark to the tinderbox by reasserting China’s claim to the Spratly Islands.<sup>152</sup> He remarked, “We have taken note of those remarks made by the Philippine officials. The Nansha Islands are within China’s territory, for which we have sufficient historical and legal basis. For thousands of years, Chinese fishermen have been fishing in these waters in the South China Sea. Their rights should not be challenged.”<sup>153</sup> Del Rosario and Carpio-Morales argue that the plight of the fishermen falls under Bensouda’s directive by pointing to evidence given at the 2016 ICJ tribunal. In particular, they cite a report by fisheries expert John McManus, which warned that because of China’s artificial island-building, “what we’re looking at [in the South China Sea] is, potentially, one of the

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<sup>150</sup> Pia Lee-Brago, "US to Remain Philippines' Only Military Ally," *Philstar Global*, April 7, 2019.

<sup>151</sup> Senate of the Philippines, "De Lima Laughs Off Duterte's Claim that China is PH 'Protector,'" Press Release, May 8, 2018.

<sup>152</sup> The Spratly Islands are called the Nansha Islands in Chinese.

<sup>153</sup> Chinese Foreign Ministry, "Foreign Ministry Spokesperson Lu Kang's Regular Press Conference on April 11, 2019," Press Conference.

world's worst fisheries collapses ever ... We're talking hundreds and hundreds of species that will collapse, and they could collapse relatively quickly, one after another.”<sup>154</sup>

China expressed its concern regarding the Philippines ‘improvements’ on Thitu Island. Officials suggested that the ‘swarming vessels’ was merely a “mild warning” not to disrupt the status quo, build on Philippine claimed islands, or build on what China claims is their rightful land within the 9-dashed line. Xu Liping, the Director for Southeast Asia Studies at the Chinese Academy of Social Sciences in Beijing explained, “U.S. warships could sail near the island, and fighter jets could land or take off from the runway, directly threatening the Safety of China’s island reef outposts in the Spratly Islands.”<sup>155</sup> Adding to Xu’s statement, Zhang Mingliang, Associate Professor at Guangzhou’s Jinan University, said, “changing the status quo” and developing “new military construction” the Chinese presence was “a posture of warning” explaining, “Manila could share those military facilities currently under repairs and upgrades on Thitu with the U.S. for the purpose of surveillance on China, undermining China’s military advantage in the South China Sea through the building of man-made islands.”<sup>156</sup>

Despite the civilian unrest and government critics, Duterte appears intent to stay the course and continue his pivot toward China in his foreign policy efforts. Some in Duterte’s administration suggest the Philippines bring forward this new situation to the United Nations since the first ICJ ruling has failed to slow China’s aggression or its artificial island construction. Raising this issue before the U.N. General Assembly is one of Duterte’s options if bilateral diplomatic negotiations fail. While Zhu Feng, Professor of U.S. Studies at Nanjing University,

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<sup>154</sup> Bale, "One of the World's Biggest Fisheries."

<sup>155</sup> Zhenhua Lu, “Beijing Tried to Block Philippine Military Facilities on Disputed Island ‘Over Fears US Could Use Hem,’” *South China Morning Post*, April 13, 2019.

<sup>156</sup> Lu, “Beijing Tried to Block.”

said, “It shows that disputes over territorial claims and economic rights in the South China Sea still have no solution,”<sup>157</sup> both China and the Philippines have choices. Other options besides continued diplomatic negotiations, confrontational standoffs, asymmetrical warfare, re-approaching the United Nations include selling island rights for cash, allowing the Chinese to continue to threaten the Filipinos, sharing the island jointly, inviting other countries to be protectorates of the Philippines, and Duterte’s suggestion to “prepare for suicide missions.” Each has its own cost.

Duterte explains his difficulty, saying, "If I send my navy and my soldiers there tomorrow and start to travel toward them, in a matter of seconds they'll all explode ... they will be slaughtered, and the missiles that are parked there will arrive in Manila in about four minutes. Do you want a war?"<sup>158</sup> Former British diplomat, Tim Collard suggested, “It would be a mistake to alienate Duterte, who has offered China the hand of friendship freely and not under duress... China would do well to show the Philippine president a bit of respect.”<sup>159</sup> On April 4, 2019, in the Fourth Meeting of the Bilateral Consultation, China’s Vice Foreign Minister Kong Xuanyou and Philippine Foreign Affairs Assistant Secretary, Maynardo L.B. Montealegre met to discuss the situation and set a future meeting for the second half of 2019.

ASEAN states are eager for resolution and have a vested interest in reaching an agreement. Albert del Rosario said the Philippines had “many friends and allies who were

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<sup>157</sup> Lu, “Beijing Tried to Block.”

<sup>158</sup> Jim Gomez, “Duterte: Few Options in Territorial Disputes with China,” *AP News*, April 5, 2019.

<sup>159</sup> Tim Collard, “As the South China Sea Dispute Heats Up, China Must Not Belittle Duterte’s Hand of Friendship,” *South China Morning Post*, April 10, 2019.

waiting to see what we are going to do.”<sup>160</sup> The Philippines, Vietnam, Malaysia, Brunei, and Indonesia have thus far carefully managed to separate their economic ties with China from their security concerns. However, China’s economic ties do provide significant coercive power. Still, the Philippines v. China PCA does offer an international ruling that stands despite Chinese persistence. There needs to be what Vietnam has called “teeth” to the decision.

Though relations with the United States had been traditionally strong and Filipinos typically view the United States favorably, the gap of favorability between the U.S. and China is narrowing. Since Duterte's election in 2016, the winds of his administration have begun to blow more strongly toward China. Philippine popularity toward China is increasing, despite the Philippines v. China ruling.

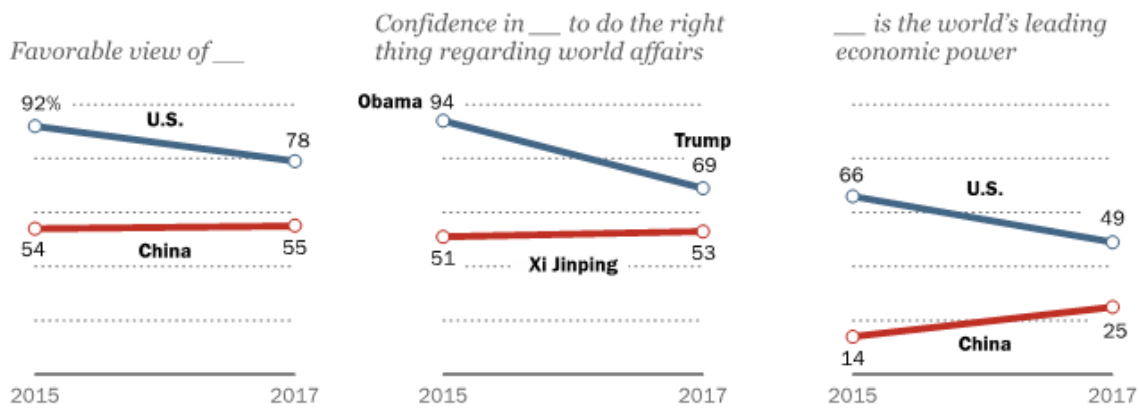


Figure 6. The Narrowing Gap in the Philippines of the United States and China.  
 Source: Jacob Poushter and Caldwell Bishop, "People in the Philippines Still Favor the U.S. Over China, but the Gap Is Narrowing," Pew Research Center, September 21, 2017.

With approximately 7,641 islands, the Philippines is not a small state in the number of landmasses. However, it is at least 25 times smaller geographically than either the United States or China. The population of the Philippines is one-third the size of the United States and about

<sup>160</sup> Raissa Robles, “Philippines Mulls Bringing South China Sea Dispute to UN as Hague Ruling Fails to Deter Beijing,” *South China Morning Post*, April 5, 2019.

one-thirteenth the size of China, as seen in the data below. Yet, as small as the Philippines may be regarding geographic territory and population, its population density is significantly larger than either the United States or China. Furthermore, the population growth rate is more than double either of the other two countries. This increase will continue to pose challenges for the Philippine government to provide adequate housing, transportation, and services.

Table 2. Population Density Statistics Comparing the United States, China, and the Philippines.

Country	Area Sq Km	Population Density	Population 2019	Population 2018	Growth Rate
China	9,706,961	148/km <sup>2</sup>	1,433,783,686	1,427,647,786	0.43%
United States	9,372,610	35/km <sup>2</sup>	339,064,917	327,096,265	0.60%
Philippines	342,353	316/km <sup>2</sup>	108,116,615	106,651,394	1.37%

Source. *World Population Review, 2019, update*, <http://worldpopulationreview.com/countries/>.

Financially, the Philippines' goal of infrastructure development requires long-term, planned, budget allocation with the capital resources to back up these efforts. The Philippine's overall GDP is unsurprisingly small in comparison to the United States and China. Meanwhile, the GDP per capita is less than one-third that of China. This partly why the Philippine government is seeking and is intent on securing loans from China, even if that means giving up some of their sovereignty.

Table 3. GDP Comparison: United States, China, and the Philippines.

Country	GDP	GDP Growth 2016-2019	GDP Per Capita
China	14.22 T	26.7%	\$9,915
United States	21.34 T	14.6%	\$64,865
Philippines	356.68 B	17.0%	\$3,299

Source. *World Population Review, 2019*, <http://worldpopulationreview.com/countries/countries-by-gdp/>.

Obtaining the money for dams, mass transit, roads, schools, and other construction projects without outside support may be difficult, particularly with the slower than expected economic growth. However, China has offered money that is quick, easy to obtain, and no political or ideological demands. This includes \$24 billion in loans offered to the Philippines in 2016,<sup>161</sup> though nearly four years later, they have only provided \$273.3 million for a dam and irrigation project.<sup>162</sup> This \$24 billion is 6.7% of the Philippines' entire GDP. "Supreme Court Justice Antonio Carpio warned on March 22 that China might seize gas fields within the Philippine economic zone in the South China Sea if the Philippines defaults on its \$62 million loan for Chico dam."<sup>163</sup> The concern for the Philippines is whether or not China will attempt to use this loan to gain access to natural gas reserves that the U.S. Energy Information Administration estimates is 4 trillion cubic feet. This resource worth billions of dollars is essential to the Philippines' future. Thus, while the lack of transparency makes it difficult to determine why China has not provided these loans, ironically though, this may be in their best interest.

China has made loan overtures to many countries, particularly in Africa for Belt and Road Initiative (BRI) and infrastructure projects. Many of these large loans were made to small states several that are now in danger of needing to give up their sovereignty, natural resources, or infrastructure to China since they are unable to pay.

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<sup>161</sup> Cliff Venson, "Duterte's critics target China relations ahead of midterm elections," *Nikkei*, March 30, 2019.

<sup>162</sup> Andreo Calonzo, "Duterte Defends China Loans as Critics Warn of Unfavorable Terms," *Bloomberg News*, March 25, 2019.

<sup>163</sup> Calonzo, "Duterte Defends China Loans."



This "debt-trap diplomacy," coined by Brahma Chellaney, has threatened numerous countries. The process<sup>164</sup> is:

**First:** China offers to build and finance infrastructure projects in a developing country even if such projects have low expected returns or are wholly unfeasible.

**Second:** The borrower-country, often small and poor, finds itself unable to pay.

**Third:** China collects as collateral the borrower-country's natural resources or strategic assets.

Though Sri Lanka is often cited for losing its strategic Hambantota port in a 99-year lease when they were unable to pay back its \$8 billion in debt. Ecuador constructed the Coca Codo Sinclair hydroelectric dam at the cost of \$1.68 billion, which has put the country deeply into debt. The steel was deemed to be of poor quality and built with 402 small and large cracks, which make the dam unusable at full capacity.<sup>165</sup> Furthermore, Ecuador agreed "to sell the Chinese millions of barrels of oil in advance on favorable terms, committing the country to ship 90% of all its exportable crude to the Asian giant through 2024. Terms of the deals, by which he mortgaged to China much of the country's future production of crude, its principal source of export dollars, remain shrouded in mystery."<sup>166</sup> Eight other countries, Djibouti, Tajikistan, Kyrgyzstan, Laos, Maldives, Mongolia, Pakistan, and Montenegro,<sup>167</sup> are facing the same fate.<sup>168</sup>

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<sup>164</sup> J.C. Punongbayan, "How the Philippines Fell for China's Infamous Debt Trap," *Rappler*, March 27, 2019.

<sup>165</sup> Chris Kraul, "Ecuador Faces a Huge Budget Deficit because of Loans it Received from China," *Los Angeles Times*, December 10, 2018.

<sup>166</sup> Kraul, "Ecuador Faces a Huge Budget Deficit."

<sup>167</sup> Scott Morris, "China's Belt and Road Initiative Heightens Debt Risks in Eight Countries, Point to Need for Better Lending Practices," *Center for Global Development*, Press Release, March 4, 2018.

<sup>168</sup> Tim Fernholz, "Eight Countries in Danger of Falling into China's Debt Trap," *Quartz*, March 7, 2018.

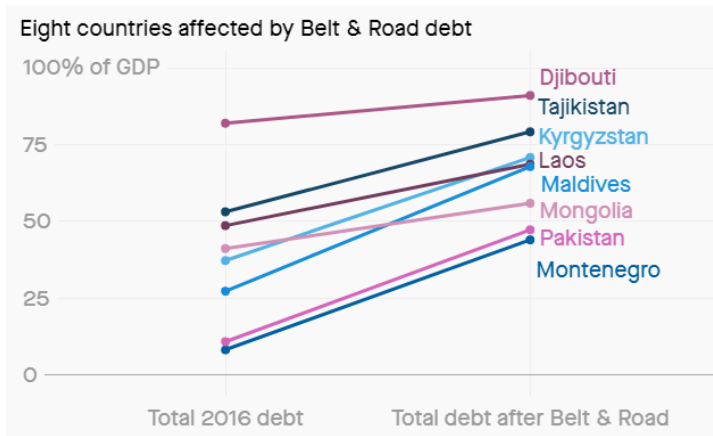


Figure 7. Response to Belt and Road Initiative Countries Affected by Belt and Road Debt.

Source. Tim Fernholz, <https://www.theatlantic.com/charts/B1KxGipdf>.

Militarily, the Philippines does not have a credible deterrent capacity. When the Philippines held Scarborough Shoal in 2012, they were unable to fend off China, who easily took control. The Philippines had been reliant on the United States for security both with its military presence and the 1951 Mutual Defense Treaty. The Philippines has only 18 tanks and 5.7% of the Chinese' active personnel. The number of naval assets and aircraft are dwarfed as well.

Table 4. Military Personnel, Budgets, and Assets of the United States, China, and the Philippines.

Country	Active Military Personnel	Reserve Military Personnel	Military Budget	Naval Assets	Merchant Marine Assets	Combat Tanks	Total Aircraft
China	2,183,000	510,000	\$239.2 billion (2017)	714	4,287	13,050	3,187
United States	1,281,900	860,000	\$698.5 billion	415	3,611	6,287	13,398
Philippines	125,000	180,000	\$3.47 billion	119	1,508	18	171

Source. *Global Fire Power, 2019*, [https://www.globalfirepower.com/country-military-strength-detail.asp?country\\_id=philippines](https://www.globalfirepower.com/country-military-strength-detail.asp?country_id=philippines).

As a small state that has been threatened by China, with land taken by force, the Philippines must either allocate money to muster a larger military or consider alternatives. The

current administration's anti-American posturing appears to demonstrate that Duterte chose to befriend China in the hopes that China will not pose a threat. However, with the aggression China showed in early 2019, swarming Philippine islands and ramming a Filipino fishing vessel, it is not surprising that Filipinos are also building their military.

In response, the Philippines have procured seven more ships. "The navy expects to boost its ranks by 2,000 to 24,000 by 2020."<sup>169</sup> Meanwhile, they are continuing Freedom of Navigation Operations (FONOPs) with the United States, based upon the Enhanced Defense Cooperation Agreement (EDCA) that was signed in 2014. Article 1 provides "for the Armed Forces of the Philippines (AFP) addressing short-term capabilities gaps, promoting long-term modernization, and helping maintain and develop additional maritime security, maritime domain awareness, and humanitarian assistance and disaster relief capabilities."<sup>170</sup>

Given the uncertainties of the international political environment, particularly in the South China Sea, it is not surprising that the Philippines is hedging between the two rival superpowers. The Philippine national animal is the carabao, a hard-working water buffalo that symbolizes Filipinos' patience and resilience. If the Chinese dragon rears its head again in the SCS, the Philippine carabao must make careful decisions. A proxy war between the U.S. and China in the Philippines would be disastrous. The alternative is a loss of sovereignty with long-term consequences.

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<sup>169</sup> Felix K. Chang, "Building from Scratch: Rebirth of the Philippine Navy," *Foreign Policy Research Institute*, October 10, 2019.

<sup>170</sup> Renato Cruz De Castro. "Philippine Supreme Court Approves EDCA: Unlocking the Door for the Return of U.S. Strategic Footprint," *Asian Maritime Transparency Initiative. Center for Strategic and International Studies*, February 1, 2016.

The economic plan named *DuterteNomics*,<sup>171</sup> outlines a 10-point agenda to improve the Philippines:

1. Continue and maintain current macroeconomic policies, including fiscal, monetary, and trade policies.
2. Institute progressive tax reform and more effective tax collection, indexing taxes to inflation.
3. Increase competitiveness and the ease of doing business.
4. Accelerate annual infrastructure spending to account for 5% of GDP, with Public-Private Partnerships playing a key role.
5. Promote rural and value chain development toward increasing agricultural and rural enterprise productivity and rural tourism.
6. Ensure security of land tenure to encourage investments, and address bottlenecks in land management and titling agencies.
7. Invest in human capital development, including health and education systems, and match skills and training.
8. Promote science, technology, and the creative arts to enhance innovation and innovative capacity.
9. Improve social protection programs, including the government's Conditional Cash Transfer program.
10. Strengthen implementation of the Responsible Parenthood and Reproductive Health Law.<sup>172</sup>

One of the current projects under consideration is the Subic Bay shipbuilding yard, located in a strategic area 100 km northwest of Manila and approximately 100 nautical miles from the contested Scarborough Shoal. Originally constructed by the Spanish Navy in 1885, the United States used Subic Bay for its navy in 1989 and left in 1991. Its sheltered anchorages and deep water make the port valuable. Two Chinese companies have bid to turn the port into a Chinese shipping and transport area, which has sounded an alarm to Australia, Japan, and the United

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<sup>171</sup> *DuterteNomics* is President Duterte's 10-point economic plan (2017-2022), unveiled April 18, 2017, to transform the Philippines into a high middle-economy, presented through a series of forums. *DuterteNomics I* was held on April 18, 2017; *DuterteNomics II* was held on April 25, 2017, coinciding with the ASEAN's 30th Summit in Manila.

<sup>172</sup> Republic of the Philippines, Presidential Communications Operations Office, "DuterteNomics Unveiled," April 18, 2017.

States who frequent the port and to Filipinos concerned with the outcome of China's naval encroachment into its waters.

Another Philippine-China project is in telecommunications where China has a 40% share of the Philippines' national grid. The contract was given to Mislattel Consortium (Mindanao Islamic Telephone Company) November 7, 2018, in which China Telecom has a 40% stake. The contract was given to Dennis Uy, a tycoon who donated 31 million pesos to Duterte's presidential campaign. Two Philippine companies were disqualified and are contesting their case to the Philippine National Telecommunications Commission (NTC). The contract is significant due to concerns over information security, privacy, ubiquitous data access, and how this data may be used. However, it is also significant because more than a billion people are likely to transition over the next few years to grid systems where data transmission will increase more than tenfold.

The fifth-generation network or 5G will have access speeds 100 times faster than human reaction times with a near-zero latency rate.<sup>173</sup> Immediate information retrieval will be a gamechanger in many factories, agriculture, financial institutions, and various other industries. Download speeds for a movie, for example, will take less than one-fifth of the time. Next-generation devices (phones, computers, robots, GPS) rolling out throughout 2020 will come with 5G, at the same time as carriers will offer new service platforms. In addition to instantaneous feedback, there are associated security threats. Also, since connectivity speeds are achieved using microwaves that cannot go through obstructions like buildings, people, or raindrops, millions of transmitters must be installed in an expansive array of infrastructure development. Companies must have the financial backing and equipment to provide this service.

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<sup>173</sup> The latency rate is the rate of sending and receiving messages, which is projected to be approximately a millisecond.

Strategically, there are ramifications as states choose which system they will use. As such, Timothy Heath, Rand Corporation Analyst remarked, “5G networks could dramatically change how militaries operate in the future. Southeast Asian nations may find they are no longer able to integrate US made weapons systems and platforms, which could further deepen dependence on China, making it harder to carry out joint training and security cooperation with the U.S.” Military leaders have already sounded the alarm issuing a joint statement, “Chinese-designed 5G networks will provide near-persistent data transfer back to China that the Chinese government could capture at will.”<sup>174</sup>

A third proposed infrastructure venture is the Kaliwa Dam Project,<sup>175,176</sup> a series of dams in the Sierra Madre mountains that has been considered since the Presidency of Ferdinand Marcos. This project is slated to be funded by the China’s Belt and Road Initiative (BRI) and listed following President Xi’s visit to Manila in November 2018, though the government has not revealed the terms. The three dams, set to be completed in 2023, will add 2,400 million liters per day for the 20 million residents and visitors in Manila. The company that constructed the Three Gorges Dam in China, China Energy Engineering Corp, has been contracted for this development. The land is inhabited by the Dumagats and Remontados, indigenous people whose land rights are ‘guaranteed’ under a Certificate of Ancestral Domain Title as specified by the Indigenous People’s Rights Act of 1997.

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<sup>174</sup> Meagan Tobin, “My Way or the Huawei: How US Ultimatum Over China’s 5G Giant Fell Flat in Southeast Asia,” *South China Morning Post*, April 20, 2019.

<sup>175</sup> Environmental groups and indigenous people oppose the proposed dam, though MWSS (Metropolitan Waterworks and Sewerage System) Administrator, Reynaldo Velasco, stated that it is a “done deal.”

<sup>176</sup> Marilou Guieb, "Why Do the I.P., Environmentalists Oppose the Kaliwa Dam? Here’s Why," *Business Mirror*, November 2, 2019.

Sacred places of worship, adjacent to the river, transportation routes, medicinal plants, and homes are likely to be flooded, displaced, or destroyed. As many as 20,000 people have been deemed to be at risk by the Center for Environmental Concerns, Philippines. Consent is required from the National Council of Indigenous People. To date, they have boycotted MWSS meetings, though attempts have been made to bargain with residents with cash incentives. The Philippine Army has made its presence known in Dumagat areas. At the same time, the National People's Army (NPA), the outlawed armed wing of the Communist insurgency, is also present, having claimed responsibility for the destruction of unauthorized dam development and construction of access roads to the dam site. The Philippine government has disregarded less impactful viable alternatives.

With all these projects, resentment lies just under the skin of many Filipinos who have witnessed the Philippine rapprochement with China in bewilderment after years of legal saber-rattling with China over the islands in the South China Sea. Duterte has taken every opportunity to shower China and President Xi with his praise, even calling China the Philippines' "protector" and a "very important ingredient," remarking on February 2018 to a group of Filipino businessmen that China could just make the Philippines a Chinese province. Duterte's efforts have also aided in his \$180-billion infrastructure efforts,<sup>177</sup> adding in his March 9, 2018, Boao Forum briefing, "More than anybody else at this time of our national life, I need China."<sup>178</sup>

Nevertheless, the public has been swift to recognize the migration of illegal Chinese workers who Filipino citizens worry are taking jobs from their unemployed ranks and the rising

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<sup>177</sup> Siegfried Alegado, "Duterte's \$180 Billion Building Boom May be Expat's Ticket Home," *Bloomberg*, January 23, 2018.

<sup>178</sup> Andreo Calozzo, "'I Need China': Duterte's Pivot to Beijing Shows Signs of Payoff," *Bloomberg*, April 11, 2018.

cost of housing associated with real estate purchases in some areas up to 27 percent increase.<sup>179</sup> On April 23, 2019, Labor Secretary Silvestre Bello III said there were 300,000 illegal Chinese workers in the Philippines.

The underlying current of uncertainty may lay in the opportunity to obtain loans even though this may mean the sacrifice of island territory and potentially former U.S. military bases, including the purchase of the shipping yard at Subic Bay. However, there is more beneath the surface that is percolating.

In the ‘Taho-Gate’ affair,<sup>180</sup> a Chinese national tossed her soy pudding, taho, onto a Filipino officer when he asked her not to bring a drink onto the metro train. The public outrage in this February 2019 event was immediate. Many proclaimed the act disrespectful and posted graphic photographs stating that the act was a national humiliation and an endemic exclamation mark on the way the Chinese have treated Filipinos. Although Philippine-China relations have not changed, the outcry did rumble a few domestically shifting tectonic plates.

Since the Cold War, the world has experienced relative calm, allowing for increasingly expanded trade, technological innovation, and global interdependence.<sup>181</sup> During this same period, China has benefitted from foreign direct investment (FDI), strong economic growth, and a commitment to supporting countries worldwide. At the April 2018 Boao Forum for Asia, Chinese President Xi Jinping explained, "The Chinese people have embraced the world with

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<sup>179</sup> “Chinese Money Triggers a Dizzying Rally in Manila Property,” *Bloomberg*, May 3, 2018.

<sup>180</sup> Richard Javad Heydarian, “Taho-gate Has Stained Duterte’s Philippines-China Love Affair,” *South China Morning Post*, February 14, 2019.

<sup>181</sup> Eugene Gholz, Daryl G. Press, and Harvey M. Sapolsky, “Come Home, America” *International Security* 21, no. 4 (1997): 5-48.



open arms...China has become a key anchor and driver for the world economy and a positive force in advancing the noble cause of global peace and development."<sup>182</sup>

Capitalizing on the U.S. withdrawal from the Transpacific Partnership (TPP)<sup>183</sup> and the current trade war, China has made significant financial commitments to ASEAN states.<sup>184</sup> These loans are cautiously embraced by countries that have benefited from the infusion of investment money, promotion of capital development projects, and access to a large population for commerce, culture, and knowledge exchange but fear unsustainable debt.<sup>185</sup>

China has also committed to increasing its naval presence in an effort to secure its sovereignty and provide for its people. In April 2018, the People's Liberation Army (PLA) showcased a fleet of 48 warships, 76 aircraft, and 10,000 officers and sailors for President Xi, the largest display since the end of China's civil war in 1949. "Building a strong navy has never become so urgent as today,"<sup>186</sup> President Xi announced to the soldiers in attendance aboard the destroyer Changsha. With a concern for its responsibility to feed more than 1.4 billion people,<sup>187</sup> attain natural resources for industrial projects,<sup>188</sup> and protect against threats from the U.S., China

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<sup>182</sup> Jinping Xi, "Transcript: President Xi Addresses the 2018 Boao Forum for Asia in Hainan."

<sup>183</sup> The White House, "Presidential Memorandum Regarding Withdrawal of the United States from the Trans-Pacific Partnership Negotiations and Agreement," January 23, 2017.

<sup>184</sup> United Nations UNCTAD, ASEAN Investment Report 2018 Foreign Direct Investment and the Digital Economy in ASEAN, 2018.

<sup>185</sup> Prince, "Southeast Asia—It's All in the Numbers."

<sup>186</sup> Center for Strategic and International Studies, "How is China Modernizing its Navy?" *ChinaPower*.

<sup>187</sup> Worldometer, Daily Update on Country by Country Population.

<sup>188</sup> Elizabeth C. Economy and Michael Levi, *How China's Resource Quest is Changing the World by All Means Necessary* (New York: Oxford University Press, 2014).

has pressed forward with multinational associations, loan guarantees, and the enhancement of their military.

In May 2018, China conducted takeoff and landing drills with sophisticated H-6K Soviet-built bombers on Woody Island, an artificial island China has constructed by reclaiming land in the SCS. President Xi exclaimed, “these are our waters and we have the strength to defend them.”<sup>189</sup>

The expanse of sea lanes within China's nine-dashed line claim includes approximately eighty percent of the SCS and extends approximately 1,000 miles south of mainland China.<sup>190</sup> In the Philippines vs. China,<sup>191</sup> the International Tribunal for the Law of the Sea ruled in favor of the Philippines stating that China did not have a claim to the maritime area within the nine-dashed line, Exclusive Economic Zone (EEZ), or mineral, energy, fish, and other resources. Vietnam also hotly disputes China's land grab. The implications impact other claimant states as well. China did not participate in the arbitration case, stating they would ignore the ruling.

What historians call the "Long Peace" has lasted for so long that the last two generations take this lull for granted. However, a great power struggle is brewing internationally on the ground and in the United Nations. Graham Allison, in his 2017 book *Destined for War*, suggests that the United States and China are on a collision course that may be difficult to avert. The Philippines' Duterte has expressly stated he does not want that conflict to happen in his country. Yet, the Thucydides Trap, which refers to the inevitable challenge faced by a powerful state

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<sup>189</sup> Economy and Levi, *How China's Resource Quest*.

<sup>190</sup> Council on Foreign Relations, "China's Maritime Disputes: A CFR InfoGuide Presentation."

<sup>191</sup> United Nations, Permanent Court of Arbitration, *The South China Sea Arbitration*.

when a rising power threatens to overthrow the status quo order, is quickly becoming a geopolitical reality. In Harvard's Thucydides Trap Project, twelve out of sixteen cases where a powerful state was challenged by an ascending power resulted in war. With the rising tensions between China and the United States and the stances, personalities, and ambitions of Xi Jinping and Donald Trump, concerns regarding a South China Sea conflict are high.

In discussing China, Allison remarked, "At the core of these national goals is a civilizational creed that sees China as the center of the universe. In the Chinese language, the word for China, *zhong guo* (中国), means "Middle Kingdom." "Middle" refers not to the space between other, rival kingdoms, but to all that lies between heaven and earth."<sup>192</sup> In his first public address as the CCP leader, Xi Jinping, explained the Chinese Dream.<sup>193</sup> When President Xi assumed leadership in 2012, he promised to end the 'Century of Humiliation' and lift the Chinese people to its rightful destiny as a global superpower by 2049, the PRC's 100th anniversary. In 2013, at China's 12th National People's Congress, Xi said, "The Chinese dream, after all, is the dream of the people."<sup>194</sup>

President Trump's "Make American Great Again" slogan is equally fervent regarding U.S. efforts toward continued prominence. While the threat appears high, Stephen Walt explains, "war between China and America is far from inevitable."<sup>195</sup> While President Trump's shift in U.S. policy is distinctly different from his predecessor and he has explicitly offered and provided strategic military support the Sea Lines of Communication (SLOC) to protect maritime routes for

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<sup>192</sup> Graham Allison, *Destined for War: Can America and China Escape Thucydides' Trap?* (New York: Houghton Mifflin Harcourt, 2017), 109.

<sup>193</sup> Yinan Zhao, "'Chinese Dream' is Xi's Vision," *China Daily*, 2013.

<sup>194</sup> Zhao, "'Chinese Dream.'"

<sup>195</sup> Stephen M. Walt, "Dealing with a Chinese Monroe Doctrine," *The New York Times*, August 26, 2013.

trade and logistics, with the exception of FONOPs and military training, much of America's support has been disregarded in favor of China's continued promises. China is closer in proximity, provides significantly more possibilities in a potential trade, and has promised significant loans.

The Philippines is caught in the middle of a very difficult situation. From 2010-2020, two Philippine presidencies highlight divergent approaches toward hedging security risks and state survival against a worst-case scenario. As the United States and China attempt to draw the Philippines under their respective security and economic alliance umbrellas with promises of protection and capital resources, their actions have created uncertainty for both the leadership and citizenry alike. Seeking economic vitality and security protection simultaneously, Philippine leaders must decide whether they should balance, engage, or hedge with the United States and China.<sup>196</sup> With the challenges in the South China Sea, the decisions Philippine leaders must make have significant consequences.

The rapprochement between China and the Philippines is different than between China and other Southeast Asian nations that are also claimant states in the South China Sea. The Philippines has not only backed off from the ICJ ruling, but they have cooperated economically with China for infrastructure development and worked collaboratively with China to share in the exploration of oil on the Spratly Islands. Other ASEAN claimant states are aware that the relationship between their respective countries and China is asymmetric. This dynamic has heightened their alert to unfavorable loans, loss of sovereignty through 5G network privacy, and

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<sup>196</sup> Rachel Winston, "Reluctant Allies: Hedging between Chinese Economic Cooperation and United States Military Support to the Philippines," Master's thesis, University of Chicago, 2019.

the requirement that labor for Chinese projects often requires using Chinese workers rather than local labor.

It is this vulnerable position that critics point to when they suggest that they could be a casualty of ‘debt-trap diplomacy,’ as the result of Sri Lanka’s 99-year lease to China of its Hambantota port when it failed to make its payments. ASEAN nations, whose economies and population sizes are considerably smaller, have extensive experience, reserved caution, and pragmatic concern working with China, which has contributed to its hedging behaviors. This increased vigilance has translated into negotiated agreements on the Code of Conduct (COC) between countries regarding behaviors between military and civilians of each nation, particularly regarding disputed territories, aggressive actions in the South China Sea, and the militarization of the islands in the Spratly and Paracel Islands. The extension of China’s presence in the backyards of each of these countries is considered a threat. China’s reach within the South China Sea has made it difficult to request that China pull back without balancing and possible engagement from states outside of the region like the United States, Australia, Japan, or India.

As far as working bilaterally with China, if Vietnam and China decided to work together, China would have an advantage because of its size, economy, trading power, goods, population, and geographic location adjacent to Vietnam. This same power dynamic could have implications for the ASEAN if China's political encroaches closer toward the Philippines. To date, China has pledged money in return for political acceptance. However, few of these pledges have transpired. Will this change the effectiveness of the ASEAN offer the same power over security, economic, and political issues? If not, the divide between the ASEAN countries and China may expand.

The South China Sea’s recent history of controversy and tension has impelled Brunei, China, Malaysia, Philippines, Taiwan, and Vietnam into a vortex of competing claims and

security concerns. Yet, despite the International Court of Justice Ruling in favor of the Philippines regarding the Spratly Islands, negotiations in 2018 and 2019, along with cooperation regarding joint explorations, could provide some relief for the strained relations and hope for finding avenues of opportunity with other claimant states. Nevertheless, the Philippines continue to hedge their political and economic situation with security alliances with the United States, including the Mutual Defense Treaty between the Republic of the Philippines and the United States of America, signed on August 30, 1951, and that remains in effect in 2019, despite the repeated insistence that the Philippines will not cooperate militarily with the United States.<sup>197</sup>

Although Philippine President Rodrigo Duterte consistently reiterates his angst for the United States, insisting that any efforts for joint cooperation with the United States are merely to combat terrorism. Yet, on April 2, 2019, three years after the start of his presidency, he continues his expression of anti-American rhetoric. Lt. Gen. Gilbert I. Gapay, commanding general of the Southern Luzon Command of the Armed Forces of the Philippines, and General Cardozo M. Luna, Department of National Defense Undersecretary who served as the commander the Armed Forces of the Philippines (AFP) in Mindanao and Central Command, and Lt. Gen. Benjamin R. Madrigal, Jr., Chief of Staff of the Armed Forces of the Philippines joined with United States Ambassador to the Philippines, Sung Y. Kim, and U.S. Marine Corps Brig. Gen. Christopher A. McPhillips, commanding general of the 3<sup>rd</sup> Marine Expeditionary Brigade for Balikatan 2019. Balikatan, meaning “shoulder-to-shoulder” in Tagalog, is an annual joint military exercise held along with the Australian Defense Force (ADF). This coordination comes two and half years

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<sup>197</sup> Nick Aspinwall, "Duterte Terminates U.S. Defense Pack, Pleasing Trump but Few Others," *Foreign Policy*, February 14, 2020.

after Duterte emphatically exclaimed, “I am serving notice now to the Americans, this will be the last military exercise.”<sup>198</sup>

It is important to note that Rodrigo Duterte won the presidency with 39% of the vote and took office on June 30, 2016, two weeks before the July 12, 2016, ICJ ruling in favor of the Philippines in the South China Sea arbitration case. On the heels of the ICJ decision, Duterte requested the former President of the Philippines, Fidel Valdez Ramos,<sup>199</sup> whose administration oversaw the case from its inception in 2013, to lead the envoy to Beijing and negotiate for the Philippines regarding the territorial disputes.<sup>200</sup> On October 12, 2016, Duterte declared his intention to terminate joint US-Philippine naval patrols in the South China Sea.<sup>201,202</sup> Afterward, President Xi agreed to meet with the Philippine president, which he did on October 18-21 in Beijing. Upon returning from this visit,<sup>203,204</sup> Duterte brought back \$24 billion in deals offered by China. In a turnaround from the Ramos administration and a revised perspective on the ICJ ruling, Duterte committed himself to working with China and distanced himself from the United States. Shortly afterward, on October 31, 2016, Ramos resigned as Duterte’s special envoy.

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<sup>198</sup> Martin Petty, “Duterte Declares Upcoming Philippines-U.S. War Games ‘The Last One,’” *World News*, September 28, 2016.

<sup>199</sup> President Ramos is a graduate of the United States Military Academy at West Point.

<sup>200</sup> Kristin Huang and Liu Zhen, “Ramos the Icebreaker: Former Philippine President Heads to Hong Kong to Test China Waters,” *South China Morning Post*, August 8, 2016.

<sup>201</sup> Greg Rushford, “What Rodrigo Duterte Is Giving Up: The Philippine President is Determined to Forge Closer Ties with China - but at What Cost?” *Foreign Policy*, October 17, 2016.

<sup>202</sup> The Philippine defense chief announced on October 7, 2016 that the Philippines suspended participation in joint patrols with the U.S. in the South China Sea.

<sup>203</sup> President Duterte met with Xi Jinping and Premier Li Keqiang October 18-21, 2016.

<sup>204</sup> Willard Cheng, “Duterte Heads Home from China with \$24 Billion Deals,” *ABS-CBN News*, October 21, 2016.

Duterte continued to express his displeasure for criticisms of his presidency. Some questioned his transparency, starting with his candidacy. For example, they asked where he received his campaign contributions. The “Philippine Center for Investigative Journalism saying that Duterte had spent over P146 million for his ads, which is beyond his total net worth of over P22 million.”<sup>205,206</sup> Next, human rights organizations had called for an investigation into the claims that thousands of people had been extrajudicially killed. Duterte himself had boasted that he, personally, gunned down suspects while serving as the mayor of Davao City. In August 2016, Duterte threatened to “You go and file a complaint in the United Nations. I will burn down the United Nations if you want.”<sup>207</sup>

Angered by the United Nations High Commissioner for Human Rights condemnation, Duterte threatened to pull out of the United Nations, saying, “Maybe we’ll just have to decide to separate from the United Nations...You there in the United Nations, you do not know diplomacy...You do not talk to me like that, you son of a bitch, we should just leave...Take us out of your organization. You have done nothing anyway.”<sup>208</sup> His criticism for the United States was no less caustic. In July 2017, Duterte told Reuters reporters, “There will never be a time that I will go to America during my term, or even thereafter...I’ve seen America and it’s lousy...it

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<sup>205</sup> On March 10, 2016, Duterte stated that the donation for his pre-campaign ads came from an anonymous Chinese donor.

<sup>206</sup> Mike Frialde, "Duterte Says Unknown Donor Paid for his Pre-Campaign Ads," *Philstar*, March 10, 2016.

<sup>207</sup> Euan McKirdy, “Philippines President Rodrigo Duterte Insults UN, Threatens to Leave Over Criticism,” *CNN*, August 21, 2016.

<sup>208</sup> Felipe Villamor, “Rodrigo Duterte of Philippines Calls U.N. Human Rights Chief an ‘Idiot,’” *New York Times*, December 22, 2016.



would be good for the U.S. Congress to start with their own investigation of their violations of the so many civilians killed in the prosecution of the wars in the Middle East.”<sup>209</sup>

Though Duterte’s speeches are often filled with expletives<sup>210</sup> and he has ignored international controversy regarding human rights, Duterte kept his campaign promises by simultaneously addressing and stopping drug trafficking, terrorism, pollution, and environmental decay, while improving roads, sea lanes, airports, early warning systems and other infrastructure. The costs in thousands of human lives have been high as relayed by hired assassins who came forward and testified regarding membership in Duterte’s ‘Davao Death Squad.’<sup>211</sup> Along with this, lawyers for families of slain victims brought their case to the International Criminal Court, which the Philippines declared their intention to leave March 14, 2018, and was finalized March 2019.<sup>212</sup>

In another situation, he has met a fierce challenge in the southern Philippine island of Mindanao, where he was raised. Duterte instituted martial law, but this did not stop fighters from the Islamic State from further infiltrating militant and separatist groups. The Philippine military fought back against Islamist militant forces Abu Sayyaf and Maute, Islamic State (IS) groups, and Jemaah Islamiyah, an al Qaeda group in Marawi who sought a califate on Mindanao. The five-month fighting event in 2017 left the area war-torn, forcing 200,000 residents to find new places for shelter as ISIS took hold. The capital city is now practically deserted, bullet-holed,

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<sup>209</sup> Reuters, “Philippines’ Duterte Says Will Never Visit ‘Lousy’ United States,” *World News*, July 21, 2017.

<sup>210</sup> In a February 21, 2017 article, former President Ramos lauded Duterte for giving a speech without expletives. He once called President Obama a "son of a whore."

<sup>211</sup> Clare Baldwin and Andrew R. C. Marshall, “How a Secretive Police Squad Racked Up Kills in Duterte’s Drug War,” *Reuters*, December 19, 2017.

<sup>212</sup> Jason Gutierrez, “Philippines Officially Leaves the International Criminal Court,” *New York Times*, March 17, 2019.

empty, and overgrown by vegetation. The Chinese-led groups, initially given the contract to rebuild, destroyed buildings without approval and did not have the money to complete the work. In February 2019, with the collapse of ISIS in Syria, an alert had been sounded that jihadist groups allied with the IS might return to home areas and brace for an influx of fighters.

As the 2017 Chair of ASEAN, he rooted his term on the needs of all member nations and focused on the need to pursue good relations with the global community and not upset China.

He presented a similar viewpoint in his July 2017 State of the Nation Address.

We have embarked on various initiatives to advance our national interest ... and the basic tenets of sovereign equality, mutual respect and non-interference. As an independent nation, we will uphold and promote our national interests in the international community. We will strengthen and seek partnership with those who share our values. We will engage nations with full respect for the rule of law, sovereign equality, and again, non-interference.<sup>213</sup>

In the same address, Duterte explained his public position in support of China and the relationship they have cultivated moving past the ICJ ruling and reaping the rewards for loans China has extended.<sup>214</sup> In describing why Duterte was befriending China and the benefits he hoped to achieve through this cooperation he said,

We have cultivated warmer relations with China through bilateral dialogues and other mechanisms, leading to easing of tensions between the two countries and improved negotiating environment on the West Philippine Sea.... We will make the next few years the 'Golden Age of Infrastructure' in the Philippines to enhance our mobility and connectivity, and thereby spur development growth equitable in the country. In other words, we are going to Build, Build and Build.... I traveled to China and make friends with them. And the Ambassador, Ambassador Zhao. Thank you for the help. And as a matter of fact, they are willing. They said if your Congress has no money, we will give you the money and China has committed to build two bridges to span Pasig River free of charge.... Airports. We are building new airports. We might get some money also from China and we'll have new airports in the coming days and we are now accelerating the implementation of the communications, navigations, surveillance

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<sup>213</sup> Republic of the Philippines, "State of the Nation Address" Rodrigo Roa Duterte, *Official Gazette*, July 24, 2017.

<sup>214</sup> Republic of the Philippines, "State of the Nation Address."

and air traffic managements system projects which will result the on-time arrivals, departures better managed air traffic, reduced flight operational cost and safer and more convenient travel experience. Revenues are the life blood of government which enables us to provide for the people's needs.<sup>215</sup>

Toeing the line, Duterte has determined that he must “maintain good relations with China” and avoid Xi's wrath. Duterte's goal is to obtain loan guarantees for his “Build, Build, Build” initiatives, like a new terminal at Manila’s Ninoy Aquino International Airport, Manila’s first subway system, a railway in Mindanao, Chico Pump Irrigation Project in Northern Luzon, and Philippine Sports City.

President Xi’s October 18, 2017 speech at the opening ceremony of the 19th Party Congress, reminded the Chinese citizenry, eager for the future, saying, “With decades of hard work, socialism with Chinese characteristics has crossed the threshold into a new era.”<sup>216</sup> Along with the market reforms of the Deng Xiaoping period of economic growth, this new era has inspired nationalism and energized a world economy with loans and development opportunities states have not seen for decades. The opportunity for countries to rise to a level of 21st-century technology, transportation, trade, tourism, and economic viability has been palpable worldwide.

Xi’s ambition to make China a “great modern socialist country” is also fitting with the ideals of offering a world hungry for modernized infrastructure and sustainable, resilient architecture. The disparity between rich and poor, urban and rural, CEOs, and underemployed is significant. China’s economic growth from a poor agricultural country to a thriving financial and manufacturing powerhouse is nothing less than remarkable. Visitors cannot help but marvel at China’s cities with their resplendent buildings. Particularly for third world and underdeveloped

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<sup>215</sup> Republic of the Philippines, "State of the Nation Address."

<sup>216</sup> Christina Shepherd and Stella Qiu, "China's Xi Lays Out Vision for 'New Era' Led by 'Still Stronger' Communist Party, *Reuters*, October 17, 2017.

countries, China holds a beacon of hope that they too can rise to their own country's natural state of prominence without foreign country interference or domination.

China's Belt-and-Road Initiative extends from the Pacific Island chains across to Great Britain and down through Africa. Countries across the continents have signed onto the BRI with China's generosity and a win-win attitude.



Figure 8. China's Projection of Dominance in the South China Sea. China's Belt Road Initiative and Maritime Silk Road.  
 Source. Reuters, Mercator Institute for China Studies, March 24, 2017. (Based on 2015 data).

China's 'Made in China 2025' is optimistic and progressive. China's stated goal is to dominate advanced technology sectors, particularly next-generation manufacturing, transportation, artificial intelligence, and space. While investing roughly \$300 billion US dollars, its 2025 goal is to produce higher-value products and rely less heavily on its cheap, lower quality manufacturing sector. Fang and Walsh also mention the accusations of intellectual property theft, saying, "China requires foreign firms to start joint ventures with local companies in order to gain

access to its lucrative market. Those companies are also often required to share their intellectual property with the local Chinese company with whom they partner. In the end, Chinese firms end up gaining the advanced technology of foreign companies without needing to compete with them in the Chinese market, thanks to heavy government subsidies.”<sup>217</sup>

Though there has been some backlash from the World Trade Organization and concern from technology exporting countries like South Korea, Japan, Germany, and the United States, China has made significant headway in its ten-year plan. However, China 2050 takes its economic plan and adds a military component, stating that his goal is to transform China into the world’s dominant militarized nation. “Xi Jinping’s orders for the PLA to become a world-class fighting force in the next three decades. Laying out his ambitious plan for the People’s Liberation Army in a report to the Communist Party’s national congress on Wednesday, Xi said the PLA must modernize by 2035 and become a top-ranked military by 2050.”<sup>218</sup> When speaking about his China 2050 vision, Xi said, “the Chinese nation will stand taller and firmer in the world.” “Xi painted China’s governance system as a unique...which has ensnared some 1 million officials since 2012 and sidelined many of his would-be rivals.”<sup>219</sup>

At China’s 70<sup>th</sup> anniversary, marking the country’s naval power, President Xi called on all nations not to use force, saying, “Nations should use consultations to resolve matters, and should not easily resort to force or threats of force.”<sup>220</sup> A dozen regional countries brought their

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<sup>217</sup> Jason Fang and Michael Walsh, “Made in China 2025: Beijing’s Manufacturing Blueprint and Why the World is Concerned,” *ABC News*, April 28, 2018.

<sup>218</sup> Minnie Chan, “China Has the World’s Biggest Military Force. Now Xi Jinping Wants it to be the Best,” *South China Morning Post*, October 19, 2017.

<sup>219</sup> Shi Ting, “Xi Jinping Lays Out Blueprint to Make China a Global Superpower by 2050,” *National Post*, October 18, 2017.

<sup>220</sup> Minnie Chan, “Xi Jinping Makes Maritime Peace Call as Chinese Navy Powers Up for 70th Anniversary Parade,” *South China Morning Post*, April 23, 2019.

warships to the parade. President Xi's statement that China would "unswervingly follow the path of peaceful development" was an essential show of peacebuilding at a time when there has been heightened conflict in the South China Sea. However, the country that swarmed hundreds of boats around the islands off the Philippines and prevented fishermen from catching fish is China. Thus, the rhetoric presents, at a minimum, a perception gap. Claimant countries want to talk, but they also do not want to be threatened by the country that is calling for peaceful discussions. Thus, each of the countries feels compelled to find diplomatic solutions and cooperate, since trade with China is important to their growth, but they must also hedge their decision making on the facts that present themselves when they are threatened.

On the economic front, there is no less apprehension. The European Chamber published its "China Manufacturing 2025" which broadens the alarm for market competitiveness of European nations. Manufacturing sectors in Europe are concerned that they will not be able to produce goods in high technology markets where the Chinese government have artificially driven down costs, stating, "the Chinese central and local governments have announced hundreds of billions of euros of funding in the form of subsidies, funds and other channels of support."<sup>221</sup> Chinese companies have invested heavily in European enterprises, purchasing some outright and gaining a majority share in others.

In the United States, the Council on Foreign Relations (2019) described one way intellectual property has been transferred, explaining, "Chinese companies, both private and state-backed, have been encouraged to invest in foreign companies, notably semiconductor firms, to gain access to advanced technology. The value of Chinese acquisitions in the United States peaked in 2016 at over \$45 billion." Although, in both cases, the companies

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<sup>221</sup> European Union Chamber of Commerce in China, "China Manufacturing 2025," 2017.

are possibly privately owned, the Chinese government has provided funding to some of these companies who in turn have made the purchases. Xi Jinping has been adamant that this push is part of his vision called the ‘Chinese Dream’ that includes ‘indigenous innovation’ and ‘self-sufficiency.’ Little of MIC2025 includes foreign partners or trade, although China has made overtures to suggest that they are willing to create market opportunities for foreign trade and investment. At the 2017 World Economic Forum, Xi Jinping said, “China’s development will continue to offer opportunities to business communities in other countries. China will keep its door wide open and not close it. An open door allows both other countries to access the Chinese market and China to integrate with the world.”<sup>222</sup>

China’s long view of history has allowed it to move slowly and transform China into a global powerhouse. According to Harvard scholar, Graham Allison, "The world has never seen anything like the rapid, tectonic shift in the global balance of power created by the rise of China."<sup>223</sup> China is thinking and planning for the long term. Deng Xiaoping, envisioning the future, once said, “Observe calmly; secure our position; cope with affairs calmly; hide our capacities and bide our time; be good at maintaining a low profile; and never claim leadership.” As Yale historian Paul Kennedy explains, "the most significant aspect of China's longer-term war-fighting power lies elsewhere: in the remarkably swift growth of its economy which has occurred during the past few decades and which seems likely to continue in the future."<sup>224</sup>

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<sup>222</sup> Xinhua, "Full Text: Xi Jinping's Keynote Speech at the World Economic Forum," April 6, 2017.

<sup>223</sup> Allison, *Destined for War*, xvi.

<sup>224</sup> Paul Kennedy, *The Rise and Fall of the Great Powers* (New York: Random House, 1987), 451.

## Chapter X.

### Conclusion and Issues for Further Research

Is Duterte brilliant or blind? This question lingers four years into his presidency. The jury is out on whether vilifying the United States and cozying up to China will return a big payday. Philippines' policy choices have been hot and cold in part due to empty promises and also due to the uncertainty that has arisen from unpredictable behaviors of world leaders and their governments. Benigno Aquino III expected support but did not get help, despite the signed treaty with the U.S. He took justice in the government's hands to the ICJ to no avail. Duterte, realizing that the U.S. was a paper tiger, blasted America's inaction and sought refuge, support, loans, and security from his neighbor, China, instead.

Both Aquino's liberal, pro-American approach and Duterte's illiberal, anti-American approach led to high voter approval, despite their juxtaposed differences. Their personalities, rhetoric, and actions could not be more different and, yet, time will only tell if the strategic decisions made by Duterte lessened the threat, held back the Philippines from losing islands, resources, or sovereignty. Hedging between China and the U.S. has been a balancing act given China's continued aggression and the U.S. protectionist stance. Given that the Philippines is a small state without sufficient economic, infrastructure, and military might, its choices are limited. The dragon will fire its hot air, and the carabao will stand, unarmed and vulnerable. China knows this and can use this leverage as a great power regional hegemon to exert its will. Other ASEAN leaders are taking note, just as the Philippines is taking note of the actions in the oil fields of Vietnam, Malaysia's transfer of power, and ridding of China's debt. The U.S. comes tragically close to naval collisions in its FONOPs.



Though state leaders can craft the future they want to invent, a hedging strategy must be a balanced approach using the Goldilocks principle. Analysts considering the SCS dilemma with differing viewpoints offer a wide range of prognoses.

The impact of Chinese control of the SCS has global and international consequences affecting every country that navigates the SCS. China has stated it intends to become the world's leading superpower and a regional hegemon by 2050.<sup>225</sup> With this goal, combined with overt actions China has taken in the SCS, there is potential for a tremendous shift in power, the creation of a 21st-century bipolarity, and a new Cold War. The international conflict would present dangerous and unknown security challenges. Waiting for China to reach its 2050 goals, ASEAN and other countries who navigate the SCS may no longer retain their sovereign rights.

The Philippines' hedging strategy between China and the U.S. is a function of trust, uncertainty, and fear. Without a sufficient and effective international rule of order followed by all nations and a regulated Code of Conduct (CoC) in the SCS, the Philippine nation will continue to delicately and pragmatically pursue its development goals, articulate its noble intentions, and protect against the possibility that it could lose its territory, sovereignty, and security.

In an attempt to analyze small state hedging behavior and both the internal and external dynamics of the Philippines, I believe Duterte's rapprochement with China represents a markedly different hedging strategy. After the 2016 election, Duterte recalibrated the Philippines "independent foreign policy" by befriending China with the hopes that China would leave the

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<sup>225</sup> John J. Mearsheimer, *The Tragedy of Great Power Politics* (New York: W. W. Norton, 2014), 368.

Philippines alone. This maneuver combined this with his “build, build, build”<sup>226</sup> approach to developing the Philippine islands, Duterte's policy decisions seem in stark opposition to that of his predecessor.

Corruption, drugs, terrorism, and gambling are endemic in society. Some predict that Southeast Asia's oldest democracy will fail due to changes in (a) the nature of the elite class; (b) electoral and representative politics; (c) civil society; (d) political economy; and (e) internal security.<sup>227</sup> Hedging alone creates an uncertainty factor that causes trading and security partners to remain off-balance and great power to question Philippine allegiances.

The changing dynamics in the SCS combined with competing claims regarding island territories and natural resources have given rise to security competition. The confluence of these drivers has led to both uncertainty and insecurity. The Philippine government has hedged between economic development and national security with its optimistic, pro-China trade and development policies and willingness to accept military assistance from Washington. In the face of recent events, a disciplined, thoughtful, and comprehensive approach will offer the Philippines the growth and prosperity it desires while serving to allay security fears and mitigate offshore tensions.

The complex and ever-changing environment of interstate influence, competing interests, and aggressive force have called for a prudent foreign policy message complemented by the tempering of concerns by domestic oppositional leaders. The risk-reward calculation that arises from not knowing a states' future intentions cannot be underestimated. Deng Xiaoping's quote

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<sup>226</sup> Richard Javad Heydarian, “Duterte's Ambitious 'Build, Build, Build' Project to Transform The Philippines Could Become His Legacy,” *Forbes*, February 28, 2018.

<sup>227</sup> Salvador Santino F. Regilme, “Why Asia’s Oldest Democracy Is Bound to Fail,” *Journal of Developing Societies* 32, no. 3 (September 2016): 220-45.

has a reverberating undertone, “The United States brags about its political system, but the President says one thing during the election, something else when he takes office, something else at the midterm and something else when he leaves.”<sup>228</sup> History has shown that the United States has not been a predictable partner. Meanwhile, President Duterte has made it eminently clear that his trust for the U.S. is doggedly low.

There is no question as to whether or not the United States has shifted its foreign policy stance in East and Southeast Asia. Although recent efforts made by the Secretary of State to reaffirm the United States' commitment to the Mutual Defense Treaty, credible signaling has not been consistent. Duterte has not been responsive to ovations or support by the United States either. Though President Trump has not focused much of his foreign policy discussions on the Philippines, emissaries from the United States have, particularly regarding military and strategic support. Duterte has disregarded or outright rejected offers.

Duterte has proclaimed his faith and trust in China. Along with massive loan commitments, Duterte wants to increase economic prosperity for the Philippines and has been reassured by Xi Jinping that Beijing will protect and defend his country. An alliance with the U.S. would threaten these assurances. China's aggression in 2019 against Filipino fisherman has not aided in Duterte's sense of comfort. Thus, the mutually cooperative association between the Philippines and China that seemed like a *fait accompli* has been met with harsh words and a less overly friendly association.

China appears to have won the battle for the heart and mind of President Duterte, a president who, in the May 2019 mid-term elections, triumphed with a resounding victory. Duterte has dismissed the U.S. as a mockery of unreliability and trumpeted the virtues of Xi

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<sup>228</sup> John F. Burns, "Deng Asserts Ties to West Are Vital to Fight Poverty," *New York Times*, January 2, 1985.

Jinping. Though we cannot tell a states' future intentions, for now, Duterte seeks financing as a priority while keeping a close watch on what China is doing in its backyard. For its part, the U.S. will continue with FONOPS and training exercises. The U.S. cannot maintain its Asia-Pacific security commitments and keep trade routes open without a presence in the South China Sea, Taiwan Strait, and the East China Sea.

With the buildup of newly constructed military bases in the SCS, China asserts its continued forceful presence within the UNCLOS-defined Exclusive Economic Zone of states with competing claims while threatening the sovereignty of those same nations. Balance-of-Power Theory would suggest that the intimidating nature of their presence would make claimant states leery. Yet, despite the alarming nature, economic cooperation has awkwardly entangled these nations to China. They appreciate the United States' protection. At the same time, they do not want to jeopardize their agreements with China. Thus, U.S. efforts to keep its balancing coalition together have been thwarted. U.S. pushback on China, Japan, South Korea have provided numerous reasons why America may be distracted, unreliable, and unwilling, despite security guarantees,

Hedging between China and the U.S. is a function of trust, uncertainty, and fear. Without an effective international rule of order that is adhered to by all nations and a regulated a Code of Conduct in the South China Sea, the Philippine nation will continue to delicately and pragmatically pursue its development goals, articulate its noble intentions, and protect against the possibility that it could lose its territory, sovereignty, and security. Duterte's actions are based upon his respect for powerful leaders, desire for financial resources for his country, fear of a proxy war in the Philippines, and the level of trust he has with China or the United States at any given time.

This research lacks firsthand accounts of conversations, behind-the-scenes negotiations, and unwritten agreements between representatives of the Philippines and counterparts in China. Critical data are not transparent. Accurate statistical and financial records regarding Chinese and Philippine military, manufacturing, employment, and government are often unavailable or unreliable.

A growing body of information data, texts, and analysis provide rich primary and secondary resources. In particular, the collection of satellite maps from the Asia Maritime Transparency Initiative proved to be useful and current. Hundreds of journal articles, policy speeches, and maps are available along with daily statements from news sources. Other resources offered a foundation to understand the implications of the South China Sea territorial claims and the Belt and Road Initiative from one perspective or another. Resources are inconsistent, and analysts provide a wide variety of viewpoints. Furthermore, the fast pace of aggressive acts by claimant states presents a moving target. China's 'land' acquisition is not just swift, but the militarization of islands in the Spratlys and Paracels is a growing threat.

Uncertainty looms as hands are dealt, card by card, face down. There is little way to predict the future, though we can craft the future we want to invent with varying levels of risk. China and the Philippines may be headed for a future of increased cooperation and peace or one of chaos and world war. Time will tell.

Since this research is current and ongoing, there is much more to study regarding history, strategy, intent, fear, trust, hedging, and decision making. This thesis focuses primarily on the unfolding of events in the South China Sea and Philippine decision making. However, in my research and a dozen trips to the South China Sea, including every claimant country except Brunei, I have collected works and insights from civilians and government officials. I plan to

continue my research in these areas for the book I am writing on hedging theory in Southeast Asia.

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