

# WE ARE ON THE RIGHT SIDE OF HISTORY

*By Senator Francisco S. Tatad*

The following is the Co-sponsorship speech delivered by Senator Tatad on Senate Resolution 443, concurring with the RP-US Visiting Forces Agreement (VFA), delivered on May 3, 1999.

I AM HONORED to join the chairs of the Committee on Foreign Relations and the Committee on National Defense and Security in sponsoring Resolution No. 443, under Committee Report 42, concurring in the Agreement Between The Government Of The Republic Of The Philippines And The Government Of The United States Of America Regarding The Treatment Of United States Armed Forces Visiting The Philippines, otherwise known as the RP-US Visiting Forces Agreement.

No recent proposal before the Senate has elicited as much heated public debate. Long before the measure came to the floor, everything or nearly everything had been said about it in the press. Attacked mostly with crank arguments, it has not always been defended with good one either; its defenders did not always show conviction while all its enemies brimmed

with passionate intensity.

Even now, one of those who had an active hand in defining the government's original position on this agreement has come up with the startling idea that the best way to handle the VFA is to ask the Supreme Court to tell the Senate what to do about it. That, indeed, is truly 'surprising', to use the more polite language of diplomacy. But despite such unexpected aberration, we hope both sides would do better in the floor debates.

To the learned presentation by our two distinguished colleagues (Senators Ople and Biazon) I can only hope to add a few thoughts of my own.

Let me begin by saying what, I believe, the nation should expect from this Senate. I believe that, as on every other question, the nation should demand of us the most intelligent and responsible response. And a resounding 'yes' is the most intelligent and re-

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sponsible response the Senate can, and should, deliver on this agreement.

We do not expect a unanimous vote. But at the end of the day the country should be able to say it acted as a serious and responsible state — serious about its place in the region and the world, and in its resolve to contribute something tangible and lasting to both.

#### WHAT VFA IS, WHAT IT'S NOT

The VFA is not an unimportant agreement. But it is no big deal, no earth-shaking document. Neither is it peculiar or unique to the Philippines. There are, as of now, seventy-eight such agreements between the United States and other governments. It is not, contrary to some claim, something specifically invented to 'recolonize' the Philippines. It does not resurrect the bases, it does not create a forward presence, or forward defense, or even overseas presence of the United States in the Philippines. It simply allows short troop visits for purposes previously approved by the Philippine government.

The VFA is a small but necessary ingredient to make sure our security relationship with the United States works. It does not at all pretend to define that relationship. That is defined by the long history of cooperation and friendship between our two countries. And it is expressed in a treaty - a mother treaty — without which there would be no need for a

visiting forces agreement.

#### MUTUAL DEFENSE TREATY

I refer to the 1951 Mutual Defense Treaty, which underpins the security relationship between the Philippines and the United States. This is the parent or mother agreement; the VFA is a mere offspring of it.

We could have renounced the MDT after the Senate rejected the proposed Treaty of Friendship, Economic Cooperation and Security with the United States, and we said good-bye to the bases in 1991, or anytime before that, or since. But we did not. Despite the bases pullout, which temporarily chilled our relations, we decided to keep the MDT.

Why? Because we believed then, as now, that while the usefulness of foreign military bases was over, the need for security alliances remained — we needed to maintain, even in an altered form, our security alliance with our oldest friend and ally in the Asia Pacific — the United States.

The MDT guarantees — insofar as treaties can guarantee anything — mutual defense against external attack. This provides:

- Article IV. Each Party recognizes that an armed attack in the Pacific area on either of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common dangers in accordance with its own constitutional processes.
- Article V. For the purpose of Ar-

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ticle IV, an armed attack on either of the Parties is deemed to include an attack on the metropolitan territory of either of the Parties, or on the island territories under its jurisdiction in the Pacific Ocean, its armed forces, public vessels or aircraft in the Pacific.

#### MDT INTERPRETED

No treaty has been as widely quoted since the public first heard of the VFA, and no treaty is likely to be as widely quoted in the course of the floor debates. But because both lawmaker and layman have found the articles of the treaty as readable as James Joyce's *Finnegan's Wake*, we have had to turn to a letter written by US Secretary of State Cyrus Vance to Philippine Foreign Secretary Carlos P. Romulo on January 6, 1979 to understand their precise meaning and import.

According to Mr. Vance, "metropolitan territory of the Philippines" means all of the land areas and all adjacent waters subject to the sovereignty of the Republic of the Philippines, in accordance with international law, lying within the area delineated by Spain and the United States in the Treaty of Paris of December 10, 1898, and in the Treaty of Washington of November 7, 1900, and subsequently amended in the Treaty concluded between the United States and Great Britain on January 2, 1930."

"However, as provided in Article V, an attack on Philippine armed

forces, public vessels or aircraft in the Pacific would not have to occur within the metropolitan territory of the Philippines or island territories under its jurisdiction in the Pacific in order to come within the definition of Pacific area in Article V," Mr. Vance points out.

#### WHAT IF KALAYAAN WERE ATTACKED

This means that while Kalayaan may not be part of the territory delineated in the various treaties, if Philippine troops, naval vessels or aircraft were attacked at Kalayaan, the Philippines would have every right to invoke the MDT and the US would be obliged to repel the attack.

The MDT has never been put to the test. And we hope to God it will never be put to the test. But the MDT puts every potential aggressor on notice that it may not commit aggression against the Philippines without risking armed confrontation with the United States.

For us, that is good enough. To those who say it is not good enough — and we hear it from those who oppose the agreement — nothing else will do. But I hope no one seriously suggests standing naked in the wind as an alternative. At this time in our history, that would be rank folly, whatever our circumstances.

Nonetheless, it is for us to make sure the MDT works. And we can make it work by making sure that the

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military cooperation pledged on paper ultimately becomes a fact of life. Not only should our Mutual Defense Board meet regularly in pursuit of its mandate. Above all, the armed forces of our two countries should be given the opportunity to train together and work together in peacetime, so that should the time ever come for them to repel a foreign aggressor, they could easily meld together into one fighting unit.

This is where the VFA comes in.

### THE ANTI-VFA CAMPAIGN

This seems so obvious that there should have been no need for the kind of excitement or execration that has so far exercised the public debate. Yet, even before the Executive could get the VFA to the Senate, we saw a prodigiously organized and well-funded campaign to discredit the agreement.

Not all of those who opposed the VFA in the beginning or who still oppose it today may be lumped together into one group. Many of those opposed to it at the start were prompted by the honest but mistaken fear that it would reinstate the bases, and the equally honest but mistaken view that it commits us to dangerous positions on certain moral and ethical issues.

They have since realized that the VFA is a straight-forward technical document, not a text on ethics or a moral or scriptural exegesis. It is now clear to all that the only moral issue it

touches has to do with the question: 'Does the State have the right or the duty to look after its own security?'

Once we have answered that question and it has been easy enough answer that question, it becomes clear to all that the choice of the means by which to secure the State is purely a technical issue that needs the wisdom and services of security experts rather than moral or scriptural exegetes.

### A 'NATIONALISM OF LOSERS'

There were also those who tried to throw in the issue of nationalism — who insisted that since the Senate threw out the bases in 1991, it is our duty to throw the VFA now. That kind of reasoning is still out there. It belongs to a frozen and dead nationalism that had long ago decided for all time the answers to all national and global issues and carved them in stone.

But what we need today is a living nationalism that recognized the world for what it is, and sees or seeks opportunities for the nation in every situation and circumstances in a world of breath-taking change. That is the only nationalism wins; we have no need for a nationalism of losers.

### FAILED IDEOLOGUES

But the hardcore of the anti-VFA campaign has come not from these individuals or groups just mentioned. Rather, it has been made up of failed ideologues whose view of the world had not changed from 1917, and who

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seem to believe that something like the VFA is all that is needed to breathe new life into the corpse of the last communist movement.

Invoking a failed ideology that had long lost the battle for men's minds, they have thrown everything

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they could at the VFA, resurrecting old bogeys and fabricating new ones. They have drawn all sorts of dark scenarios, protesting in advance every possible offense that might be committed by the Visiting Forces.

They imagine these forces turning the entire country into a military camp and making their temporary visit 'per-

manent'. And they appear to have succeeded in convincing themselves. The wonder of it all is that they have shown no sensitivity whatsoever to the fact that a foreign power has decided to come inside our territory at Kalayaan.

### **GOOD FOR THE SHEEP, BAD FOR THE WOLF**

Why, it has been asked, do they see so much wrong in an agreement meant solely to strengthen our capacity for peace and our preparedness for defense? To this, I have not found an easy answer. But somebody far wiser has proposed a sage reply. In matters of this sort, says he, "what is good for the sheep is bad for the wolf."

Well, this Senate has a duty to make sure that what is good for the sheep, not that which is good for the wolf, prevails. We need to make sure that those who have embarked on a policy of abducting our men in uniform while avowedly suing for peace are not allowed to hijack our foreign policy or our policy on national defense.

The dismantling of the Berlin wall, the dissolution of the Soviet Empire and the end of the cold war produced a euphoria which in turn produce a host of exuberant expressions, from Francis Fukuyama's "end of history" to Shimon Peres's "the hunting season in history is over." But the terrible war in the Balkans and a host of disturbing occurrences elsewhere, including those in Kalayaan, tell us the post-cold war world is still a dangerous place.

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#### A FRAGILE PEACE

Today we see how fragile the peace, and how much work there is to do-for each and all nations-to check rising antagonisms and ambitions, and keep one country's internal problems from spilling over its neighbors. In Asia, unrelieved tension at the Korean peninsula, creeping mischief at Kalayaan, political implosion in Indonesia, nuclear rivalry in the South Asian subcontinent, and unhappy turn of events in the Russian Federation, supply much of the evidence of this fragility.

Our business-and the business of every country in the world-is to strengthen the peace and make it hold.

#### A NET OF TREATIES

I do not suggest the VFA will do this for us. So much more is needed to do the job. The ASEAN recognized this when it decided to use the ASEAN Regional Forum (ARF) to discuss the security questions with non-ASEAN members. For its part, the United States maintains a net of security treaties of which its treaty with Japan is the linchpin. These include treaties with South Korea, Australia, Thailand, the Compact of Free Association with the Republic of Marshall Islands, the Federated States of Micronesia, the Republic of Palau, and of course the Philippines. In fact, it has been suggested, below official level, that the United States pull together all its allies from Europe to East Asia under

one big umbrella to be called North Atlantic and East Asia Treaty Organization or NAEATO.

Obviously, even the biggest power on earth needs the help of others to keep the peace. But a country that is allied to that power, yet allows itself to be bullied or bamboozled into discounting the value of simple visiting forces agreement is obviously not a serious country at all and has nothing to contribute in constructing the peace.

For us to hesitate on something as straightforward and transparent as the VFA is for us to misunderstand our regional and global responsibilities. It is, above all, to misconstrue our national purpose. Indeed, it is to surrender to the enemy long before we know who the enemy is.

Pursuant to Article VII, Section 21 of the Constitution, which provides that "no treaty or international agreement shall be valid and effective unless concurred in by at least two-thirds of all the members of the Senate," the Senate should concur in the VFA because we need it as much as the United States and the region need it, and because it is the right thing to do.

#### MINIMUM OBJECTIVES

Specifically, we need the VFA to achieve a minimum set of objectives. These are: first, to strengthen our own external security and the peace and stability of the Asia Pacific; second, to provide vital support for the modern-

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ization of our armed forces and defense systems; and third, to create a vigorous climate for economic and business activity, critical to sustained economic recovery and growth.

### **NEW SECURITY ENVIRONMENT**

Let us see how the VFA respond to the new security environment. The end of the cold war has produced a new security environment. The environment is just being born, and will have to be brought to full fruition by the free play of national, regional and global forces. We have a choice of being part of a 17th-to-19th century type, post-Westphalian, multi-polar world, or of joining a coalition of like-minded states pursuing common interests, or of being firmly aligned with the world's preeminent political, economic and military power, the United States.

Whatever our choice, the demise of the old system has left the United States without any serious rivals in the world. Liberal democracy and the free market have won, but the world has not been rid of war or the threats of war, as Kosovo shows.

Until the recent developments on our Kalayaan islands, we Filipinos generally took comfort in the moat erected by the seas around our archipelago. Beijing's ugly constructions on Mischief Reef, built without any official permission from our government under the Building Operate-and-

Transfer (BOT) Law, has since put an end to that illusion. Now we know better.

### **CHINA'S GAMBIT**

Earlier, in 1992, China promulgated its "Law on the Territorial Waters and Contiguous Areas of the People's Republic of China," declaring all of the Kalayaan Sea as internal waters and all islands, islets, shoals, reefs and cays washed by them as part of its national territory. This is a reminiscent of the Romans who from the third century BC to the first century AD called the Mediterranean, the world's largest inland sea, Mare Nosstrum" (Latin for "our sea"), to assert the might of imperial Rome.

(Imagine if India were to follow suit and declare the whole of the Indian Ocean-the world's third largest body of water, covering about 20 percent of the earth's water surface-as internal waters! A political tsunami would engulf the chain of islands on the continental rim, the Sunda islands and the island nations of Comoros, Seychelles, Sri Lanka, Maldives, Mauritius and Madagascar, not to mention the littoral states of Southern Asia, the Malay and Arabian peninsulas, Australia and Antarctica.)

China's game, however, is not limited to promulgating such absurd laws alone. As early as 1985, China changed the entire orientation of its PLA Navy from "support of land operations" to "limited war"- more precisely, "limited

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war at sea." Thus, in the virtually unreported naval clash in the Kalayaan sea in 1988, the Chinese sank three Vietnamese vessels, killing some 100 Vietnamese in the process.

We are not saying China is the enemy. It is to our best interest that China remains a friend. But we must plan our defense and security not only on the basis of known threats but also on the basis of the uncertain and the unknown.

### ARC OF CRISIS

In northeast Asia, three nuclear weapon states and two divided nations surround Japan from the southwest to the northeast, creating an arc of crisis similar to the one that extends from the Horn of Africa to the Persian Gulf. Deep antagonisms have existed in this arc of crisis since Kublai Khan tried to invade Japan. They remain.

Nowhere are these antagonisms more alive than on the Korean Peninsula. With six hundred thousand troops deployed near the demilitarized zone (DMZ), and an arsenal of ten thousand SAM missiles, 4,200 tanks, 2,500 personnel carriers, not to mention the belief that it also now possesses weapons of mass destruction, including nuclear weapons, North Korea is a source of continuing anxiety for the region. Japan sees itself as primary target and what affects Japan affects us all.

From Japan to Southeast Asia, stretches another strategic arc that

connects the vital sea lanes to the Gulf. This has lately zoomed to public view because of what is happening at Kalayaan and in Indonesia, which is trying to contain a political meltdown. We wish our Indonesian friends well. But we cannot predict anything. If the next presidential elections succeed in stabilizing that society, then Indonesia would be back on track. If not, political disintegration could send

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violent shockwaves from Jakarta to its immediate environs, including our shores.

### ASIA'S ARMS RACE

In yet another arc, which stretches across the Indian Ocean to the Gulf, the turbulent politics of India and Pakistan could drastically modify relations with China and Russia and curtail Western access to Gulf oil. The volatility of

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the area is compounded by these countries' access to nuclear weapons.

The recent economic crisis had a slowing effect on Asia's costly arms race. But almost every East Asian littoral state, with the notable exception of the Philippines, is building a blue water navy for power projection within, and possibly beyond the region. The moderately ambitious are acquiring state-of-the-art conventional weapons; the overly ambitious are fiddling dangerously with weapons of mass destruction.

#### **RUSSIA UNDIMINISHED**

Russia, now poorer than ever, remains an undiminished military power. It remains in control of one of the world's biggest nuclear stockpiles, much of it in Vladivostok, home port of the Russian Pacific Fleet, from where Russian inter-continental ballistic missiles (ICBM's) are aimed — unless they have since been reoriented — at San Francisco, Portland, and Seattle. Along the Trans-Siberian Railway, strategic bombers and more ICBM's are deployed, with a strike capability against the whole of Japan.

#### **CREDIBLE POSTURE**

Under these circumstances, we cannot leave the security of the nation at the mercy of our neighbors. We must confront it as an urgent and overriding question of national interest. True, we are not as rich as our wealthy neighbors; but no na-

tion is so poor as to be exempt from looking after its own security and defense.

If we are to participate meaningfully in the new international order, we must build up our own external defense by utilizing wisely and effectively our alliances, notably that with the United States. Only then can we project a credible defense posture and take part in a comprehensive regional and global security system focused on shaping the environment, peacetime engagement, avoidance of conflict and deterrence and, as a final option, defeating aggression if ever and whenever it occurs.

#### **REVOLUTION IN MILITARY AFFAIRS**

To maintain a credible defense posture in this age of digital warfare, we need our fighting men to embrace and be adequately exposed to the 'revolution in military affairs'. This means exposure to new weapons systems, new doctrines and new concepts of operations as well as in increased reliance on information technology, which is the cutting edge of modern warfare.

All this would require the resources of our infinitely richer neighbors. But through the VFA our forces would have the opportunity to train and work with the best trained troops in the world,

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using the latest precision weapons, at no cost to the taxpayer. Our armed forces would then be able to acquire 21st century training, without having to own the latest and most expensive equipment, platforms and delivery systems. That ultimately should help propel our program for defense modernization.

#### **MODERNIZING THE ARMED FORCES**

That program should not be set aside at any time. Rather it should proceed side by side with the VFA. This would require releasing on time the funds Congress had agreed to put into the program, without promoting a recurring debate on how many farm-to-market roads, school buildings and hospitals could be built on those funds.

If we embrace, as others have, the revolution in military affairs we could run the program at the highest cost-efficient ratios by relying more on precision technology and training rather than on the sheer size of force deployed or sheer bulk of equipment and supplies.

At the same time, we could also acquire greater skills for our armed forces in other areas of cooperative security, beginning with those classified as 'military opera-

tions other than war'.

#### **THE ENEMIES OF MODERNIZATION**

There are those who for their own reasons oppose any effort to strengthen the military while dreaming of a society that has rendered itself free from any threat of aggression. They mint jokes about the inutility and impotence of the AFP and then in the same breath to prevent its modernization.

We cannot continue to be intimidated by this sector. We must stiffen our resolve to modernize the structure, weaponry, doctrines and operational concepts of our defense system. The VFA can help provide the environment, impetuous and resolve for modernization.

That in turn can help strengthen over-all confidence in the country's ability to participate more vigorously in maintaining an open international economic system, in which the highest growth is possible.

In a completely deregulated information driven global financial system, where capital can be spooked out of the market by mere speculation and rumor, security, which is the parent of political stability, is an indispensable and irreplaceable investment. Here, the

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VFA can and should make an important contribution. We have no doubt it will.

Let me now conclude as I began. We said the VFA is not an unimportant agreement. But more important than the VFA is the world view that allows us to see the value of this agreement and to say honestly and without fear that we need it for our development. With such a world view, we are prepared to assume our role and responsibilities in the world of the next century and the next millennium. With such a world view we are ready to compete with the very best in the world and win.

For the VFA is not simply about providing a legal framework for the agreed visits by military forces of a friendly power player. Much more than that, it is about how to run and move the nation. It is about growing up as a nation.

By concurring in the VFA we would be showing the whole world that we have grown up, that we have decided to move forward rather than backward and explore our limitless possibilities as a nation, instead of simply inhabiting the narrow self of obsolescent or junk ideas.

By so doing, we would be reaffirming our strategic value to the region and the world, and assum-

ing a distinct and irreplaceable role in making the next century a century of genuine stability, peace and progress.

My final words will be to our Senate colleagues.

Life is short and our term of office shorter still. Let us not waste our time, and our people's time, shouting "fire" where there is none just to create a stampede or a few headlines. That would be living a false existence. Let us instead live our lives and do our work honestly and humbly, teaching the nation what it does not know, and telling the people what they need to be told, without thirsting for completely undeserved and unnecessary headlines and applause.

Let us declare then, without fear of contradiction or consequence that we need this agreement as much as the US and the Asia Pacific need it, and that we are ready to assume its burdens just as we are ready to enjoy its benefits.

And let us make that solemn declaration on our honor as Filipinos who have no other or higher interest than that of Filipinos and without any doubt whatsoever that history is on our side, and that we are on the right side of history.

Long live the Senate, Mabuhay ang Filipinas!