

# The Advent, Evolution Termination of the 1947 Military Bases Agreement and Its Influences to Philippine Military Foreign Policy

Richard Ryan C. Villegas

## Abstract

The history of the Military Bases Agreement (MBA) between the US and the Philippines brings a dynamic view of Philippine foreign policy. The Philippine foreign policy has to change to respond to the changing needs of the changing times. Among the areas of foreign policy that is very significant is the military aspect as it provides social, economic advantages. This study aims to provide a historical overview of the MBA and its implication towards the adoption of a military foreign policy of the Philippines from 1947-1991. Explanations on how the MBA has shaped the Philippine foreign policies from 1947-1991 were provided. This historical study utilized the descriptive-analytical-narrative method and theory of military dependency. The following are the major findings of the study: 1) The Cold War between the US and the Soviet Union became a major factor in the establishment of military bases in the Philippines; 2) The massive task of rebuilding a war-devastated nation was aided by extensive American assistance. However, the Philippines faced a major problem of Communist insurgency dominated by the Hukbong Mapagpalaya sa Bayan (HMB) guerrillas; 3) The MBA had undergone several amendments during the administrations of Manuel A. Roxas to Corazon C. Aquino, and; 4) The MBA paved way for the signing of more recent military agreements such as the Enhanced Defense Cooperation Agreement (EDCA).

**Keywords:** *military bases, foreign policy, military foreign policy, national security, Philippine foreign policy*

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## About the author:

Associate Professor, National University, Manila



## 1. Introduction

A military base, by definition, is an installation that serves as an auxiliary for military operations and logistics (Sergiv & Rodrigues, 2009). These facilities are associated with a variety of bases, including navy, land, and air bases. These settlements can serve as military platforms, intelligence operations post, new weaponry test ranges, weaponry arsenals, and military corps' host locations. Overseas bases, while becoming infrastructure for wars, are the first mechanisms used by great powers to maintain control (Lersch et al., 2014). One of the most powerful nations in the world, that mastered this, is the United States of America, especially after the Second World War.

Barfield (2010) and Sarantakes (2000) both concur that the presence of military bases abroad is useful to the host country in various ways. Social, political what's more, monetary advantages are some that gather from facilitating these establishments. The production of unfamiliar bases is straightforwardly associated with correspondence lines and monetary and political arrangements. Courses associate business and military units abroad, and these bases are found in a calculated manner (Zanotti, 2012). It is fundamental for a country to comprehend that the ability of one more country to have unfamiliar military ought not be underestimated. Manageability is essential to adjust the great relations between the hosts and the tactical country for good concurrence. A few regulations have been made to assist the military with abstaining from violating and the have country to get their job in the working of these bases (Calder, 2007).

Following World War II, the United States of America entered another war, this time against the Union of Soviet Socialist Republics (USSR), which had embraced Marxist ideology. The US plays the most assertive role in the global network of military bases. The United States has the most military installations in the world, with over 1,000 military bases spread across 130 countries. During World War II, the number of its bases increased, and during the Cold War, when the struggle for spheres of influence between the capitalist and communist blocs made the existence of military infrastructures abroad absolutely necessary (Lersch et al., 2014). Aside from the USSR and Eastern Bloc, the other concern of the United States of America is the spread of communism in the Asia-Pacific Region. Some of the events related to this are the Korean War – when Korea was divided into South Korea (democratic republic) and North Korea (communist regime), the Vietnam War – when the group of Ho Chi Minh clashed with the American Forces,

and the Philippines – where armed resistance from the leftist group Hukbong Mapagpalaya sa Bayan (HMB) was increasing. Knowing that the Philippines is their closest ally in the region, most of the bases they have established are in areas perceived as enemies' target points.

The hegemonic theory of warfare is most often applied to the history of cold war, as each state involved is perceived as seeking hegemonic status within its own region, and each state perceived other states as having intentions to become a global hegemon, much to the detriment of its status (Angelfire, n.d.). The military bases served as logistics adjuncts during the Korean conflict in the early 1950s, therefore; it is essential to the US is. Later in the decade, the bases in the Philippines served as major staging areas for troops and supplies being sent to Vietnamese battlefields (Gregor & Aganon, 1987).

The Second World War and the post-war creation of an ideologically bipolar world, have in effect, prompted the US to establish policies based on assumption and the domino theory. The Domino theory espouses the notion that Communist aggression in one state or area must be dealt with and defeated to preclude its proliferation elsewhere. The domino metaphor was first coined by US President Dwight D. Eisenhower, who was asked in his press conference on April 7, 1954, to explain the strategic value of Indochina to the US (Stratton, 1989).

To prevent the Allied countries into falling like dominoes to communism, George Kennan published an article in Foreign Affairs known as “the containment doctrine” – a political strategy envisaging political, economic, and where necessary forceful resistance to communist expansionism all-round the periphery of the Soviet Empire (Harbutt, 2002). The issue of the status of American bases had its beginnings in the first Independence Act (the Hare-Hawes-Cutting Act of 1933), which authorized the US to keep its military bases in the Philippines as it wished (Taylor, 1964).

Since the US recognized the Philippine Independence in 1946, the latter has allied itself closely with its former colonizer. This shows the neo-colonial status of the country whose sovereignty and integrity according to Senator Claro M. Recto, has been surrendered as guaranteed by Article I of the 1935 Constitution.

While the hostility between the US and the Soviets was growing, the Philippines on the other hand was recovering from the devastation brought about by war. They relied heavily on the Americans even though their sovereignty was at stake. Knowing that only the US was the only ally who could aid them financially, they compromised their sovereignty by entering into different agreements with the Americans that would ensure their neo-colonial dominance.

The 1947 MBA was approved during the term of President Manuel A. Roxas which allowed the continued existence of 23 American bases in the country for the next 99 years. American personnel in these bases cannot be prosecuted under Philippine law for any crime committed against the Filipinos. Over the years, the question of jurisdiction has provoked a multitude of heated protests from Filipinos, to express their aversion to the fact that American soldiers who killed or abused Filipinos could not be tried by Philippine courts. Even more provoking is the American practice of sudden transfer of the American military personnel accused of committing crimes on or off the bases to place them beyond the reach of the Philippine courts in cases where these courts have jurisdiction under the MBA (Constantino & Constantino, 1989).

A strong military force is the cornerstone of any national security measure, and it defines the potency of overseas military bases, so the United States made conscious efforts in developing the armed forces of the Philippines and exercising sole supervision over its personnel. A week after the conclusion of the MBA, a Military Assistance Pact was promptly signed. The Military Assistance Agreement (MAA) entitled the Philippines to the provision of arms, ammunition, and supplies by the United States. It also entitled the Philippine military personnel to be trained, and Philippine military officers to be sent to US military schools. But the most important facet of the Military Assistance Agreement was the creation of a Joint US Military Advisory Group (JUSMAG) paid for by the Philippine government to “advise” the Philippine Army, Constabulary, Air Force, Navy, and Intelligence Services (Cady, 1971).

After the death of President Roxas, his successors maintained the status of military bases in the Philippines, however, in 1991 the Philippine Senate voted against the continuation of its operations despite the approval of President Corazon C. Aquino. In the same year, the world also witnessed the disintegration of the Soviet Union. One can surmise that the United States no longer has enemies, therefore, military bases will no longer serve their purpose.

Studies demonstrate that overseas military basing benefit from versatility furthermore, interoperability abilities. Plus, they likewise enjoy the benefit of social mindfulness with unfamiliar accomplices from where they access their preparation. These abilities are of most extreme importance, particularly through brief and rotational organizations (Lostumbo et al., 2013). Overseas military basing benefits the partaking faculty through improving their functional capacity close by unfamiliar military faculty. The affiliation helps the unfamiliar powers to acquire the capacity to see how to assemble alliances to help security and soundness furthermore, impact foes, which require a sufficient comprehension of the customs and values (Flemes & Wehner, 2015).

This study aims to provide explanations on how the MBA shaped the Philippine foreign policy from 1947-1991.

## **2. Literature Review**

### ***2.1 Establishment of military bases in a foreign land***

As discussed by Lachowski (2007) and Lostumbo et al. (2013), the US has the biggest number of army installations across the world. It has more than 1000 establishments on the planet in around 130 nations. Hence, the Worldwide Research Organization discoveries show that the US has the biggest organization of global bases. Some of them remember eight bases for England, 26 in Germany, and eight in Japan. The quantity of US army installations across the world became after WWII and after the finish of Cold Conflict.

The US bases are characterized by their geo-political purposes. It alludes to its significant offices as Main Operating Sites, and in this manner have long-lasting soldiers positioned inside such offices. Then again, more modest ones are known as the Forward Operating Bases which are utilized or reciprocal collaboration. The other order is the Cooperative Security Locations which are utilized for security co-activity exercises (Peterson, 2012).

### ***2.2 Establishment of military Bases in the Philippines***

Several pieces of literature compiled with the existence of US Military Bases in the Philippines. Castro (1988) provided the series of amendments that date back from the signing of

the Military Bases Agreement in 1949 to its revisions in 1979. The author did not provide an in-depth analysis of the MBA. The author only provided a narrative of the provisions and a detailed account of the technical features of the MBA. Meanwhile, Simbulan (1985) traced the history of the MBA and exposed the political, economic, and social effects of the bases as well as the tactics that the US government used to get the bases in the first place and to hold them over the years. Paterno (1964), discussed the legal implications of the ownership of the military bases according to US Ambassador Herbert Brownell. It also covered the counterarguments of Claro M. Recto to Brownell's thesis regarding the ownership of the bases.

### ***2.3 Nature of Military Foreign Policy***

Knorr (2016) analyzed that abroad army installations are frequently settled where a country has specific supreme interests; where they need to construct a domain either straightforwardly or in any case over international strategy, regulations, and political economy of another country. Furthermore, unfamiliar army installations are typically connected with vital, levelheaded purposes. In this way, keeping up with abroad army installations outside NATO empowers these nations to have the option to guard themselves from heightening dangers of assaults, supply security to different countries and improve catch assets and exchange. These nations have additionally sought after the desire of building abroad military bases with the vital point of safeguarding the plan of non-financial factors, for example, help laborers, political agents, and teachers. For example, the Portuguese, in the sixteenth century, held onto rewarding ports along Indian course and applied maritime watches, stronghold, and exhibitions barrage to lay out their restraining infrastructure in the flavor exchange (Colangelo, 2014).

Strategically, unfamiliar army installations give the sign and consolation that different countries embrace a state's international strategy and military. Furthermore, these bases serve vital and political targets as well as other non-state entertainers who persistently benefit from the presence of these bases without respect for their vital or political worth like the unfamiliar worldwide organizations that advantage through carrying on with work in a quiet climate made by the presence of an unfamiliar military (Lostumbo et al., 2013).

### ***2.4 Military Foreign Policies in the Philippines***

A historical dimension on military foreign policy was highlighted by Romualdez (1980), which provided an in-depth discussion of the whys and wherefores of the vital issues affecting

the relations of both the United States and the Philippines as particularly disclosed in the efforts to renegotiate or modify existing defense arrangements. This was affirmed by Dagdag (1999) as he outlined the policies of Philippine Presidents from Manuel Roxas to Joseph Estrada on how they dealt with national security situations during their administrations. It also gave a blueprint on how they coped up with the international realities from the establishment and the abrogation of the military bases.

## ***2.5 Theoretical framework***

This study on the establishment of military bases in the Philippines utilized the theory of military dependency state. It has two dimensions: The first-dimension states that there is no such thing as complete national independence. Instead, all nations are interdependent, and dependency is measured according to level. The second dimension alludes to whether the dependency is known as severe or does not rely on the degree of the issue. (Hagelin, 1988; Wurfel, 1993).

Another theory which was utilized is the hegemonic stability theory (otherwise known as the hegemonic theory of warfare) which emphasizes that the international system is more likely to remain stable when a single nation-state acts as the dominant world power, or hegemon (Goldstein, 2005). This theory is divided into two strands: The first strand is the benevolent model which depicts a hegemonic state that acts for the collective good (an effective international regime) all by itself, while the other states are freed from the responsibility to help maintain the regime. The second strand is the coercive model which states that the hegemon can and will use its superior power to force other states to make contributions for the collective good provided under the hegemon's leadership (Hasenclever et al., 2002).

Hagelin's theory of dependence is instrumental in this study because it guides the discussion on how the Philippines depended on the US in the given period as to how the military bases were established. On the other hand, the hegemonic stability theory reinforced the role of the US that they were the dominant force which provides protection and aid over its neo-colony though it also used some coercion when circumstances call.

### 3. Methodology

In trying to create a picture of the advent, evolution, and termination of the 1947 Military Bases Agreement, and its role in shaping the Philippine foreign policy from 1947 – 1991, historical narrative research design was utilized. Data obtained from primary sources regarding the period from 1947-1991 and the surrounding issues were supplemented by secondary sources. The descriptive aspect focused on how the topic was developed. The analytical aspect discussed how the 1947 MBA began, evolved, and was terminated. Relying on facts alone provided the narration with only an interpretation of authenticity that provides a positivist perception.

### 4. Results and Discussion

#### *2.1. The Cold War as the cause of the establishment of the US military bases in the Philippines*

At the end of World War II, the term cold war was first used by George Orwell, author of the classic novel 1984. In the essay “You and the Atomic Bomb,” he emphasized the long-term effects of atomic bombs. He also scrutinized nations with atomic bombs coexisting under the threat of nuclear war. Thus, he called it “a permanent state of cold war’... [and] a peace that is no peace (Orwell, 2010)”

In ideological terms, the Cold War was viewed as a worldwide contest between liberal democracy and Communism. Both sides looked forward to the ultimate worldwide supremacy of their system. The liberation from capitalist oppression was the end-goal of Communism. This was interpreted by ideologically-minded Westerners that Moscow was trying to impose its authoritarian system on a world that is meant to rule (Halle, 1991).

As of the final days of the WW2, US defense officials believed that they could not allow any prospective adversary to control the Eurasian landmass. The Americans learned this lesson from the two world wars. Strategic thinkers and military analysts asserted that any power or powers attempting to dominate Eurasia should be regarded as potentially hostile to the US. At the same time, they were determined to prevent the Eurasian land mass from falling under Soviet and Communist influences (Leffer & Painter, 2005).

The Truman Doctrine began from a speech delivered by President Truman before the joint Congressional session on March 12, 1947. A British government declaration that, as of



March 31, it would no longer provide military and economic assistance to the Greek Government in its civil war against the Greek Communist Party has impelled Truman to asked the US Congress to support the Greek Government against the Communists. He also requested the US Congress to assist Turkey, since that nation, too, had previously been dependent on British aid (Truman Doctrine as cited in the Office of the Historian, n.d.).

While the Truman Doctrine was being discussed before the US Congress in March 1947, the director of army intelligence stressed that the operational factors that discourage Soviet aggression were still critical. In September 1947, the Central Intelligence Agency (CIA) concluded that conquering Western Europe was not a part of the Soviet's endeavor due to several reasons: they were aware of their inability to control hostile populations; they were afraid to trigger a war against the US that could not be won; and their preference to achieve hegemony through political and economic measures (Leffler, 2005).

## ***2.2. Technical arrangements and procedures for the implementation of the Military***

### ***Bases Agreement***

#### ***2.2.1. Manuel A. Roxas administration***

Between October and December 1946, the US government reviewed the whole American strategic position in the Philippines in the light of the certainty that it may give up, among other bases but especially the Fort Mckinley-Nichols base area. Thus the value of the bases in the Philippines would be tremendously diminished. Army Chief-of-Staff Dwight Eisenhower then proposed the withdrawal of all US Army forces (including the Army Air Corps). The US Navy however could remain but a more modest level, in which case a contingent of US Marines would suffice to protect them. To Eisenhower, this scaling down of US Military presence was preferable to generating the antagonism of the Filipino people through American insistence on bases within Greater Manila Area and the American position on criminal jurisdiction. However, if the Philippine government desires the presence of US troops, then at least an Army Air Group unit should remain. This sounded like an ultimatum to Roxas, who gave in on December 23, 1946, verbally informing McNutt that the presence of American bases in the Philippines, including military (army) bases, was not only desired by the Filipinos; it was a “settled policy”

insofar as their government was concerned, citing the Congress of the Philippines' Joint Resolution 4, which had been approved on July 28, 1945. The negotiations were then resumed in February until the first two weeks of March 1947 (Berry, 1989).

One final snag held up the signing of the bases agreement: US approval of military assistance to the Philippines. Though there was no explicit quid pro quo, the relation between the bases agreement and US military assistance was obvious to all. On the US side, "negotiations for concluding US-Philippine military bases have been held in abeyance by the State Department pending the outcome" of the bases talks (Joint Staff Planners, 1947). Roxas at first refused to sign the bases agreement until the military assistance agreement was approved and only relented when McNutt assured him of his continued support on the military aid pact (McNutt as cited in Diplomatic Records, 1947). As Roxas told US charge d' affaires Nathaniel Davis, the Philippines wanted US military aid "not only for a short, limited period but for as long as American military and naval bases are maintained in the Philippines (Roxas as cited in Roxas Papers, 1947).

Finally, the MBA was signed on March 14, 1947. The agreement outlined criminal jurisdictional authority acceptable to Filipinos at the time but which later was to prove wanting in their viewpoint. In peacetime, on-base Philippine jurisdiction was limited to offenses against Philippine security or in situations where both offender and offended were Filipinos. Off-base Philippine jurisdiction was obtained in all cases except where both parties were members of the US armed forces when the offense against the US security by the US serviceman; and when the offense was committed by a member of the armed forces of the US while engaged in the actual performance of military duty, or during a period of national emergency declared by either government. In the event the fiscal (prosecuting lawyer) found that the offense was not committed in the actual performance of a specific military duty, the offender's officer had the right to appeal from the finding to the Secretary of Justice within ten days from the receipt of the wisdom of the fiscal, and the decision of the Justice Secretary is final. In wartime, the US had the right to exercise exclusive jurisdiction over any offense committed by members of the armed forces of the US in the Philippines. In all cases on US jurisdiction, the right of separate civil action was reserved to the offended party to enforce the civil liability which arose from the offense under the laws of the Philippines (MBA, 1947).

On March 27, 1947, the Military Assistance Agreement (MAA), was signed by President Roxas and US Ambassador Paul V. McNutt. The purpose of the MAA was to provide Armed

Forces assistance in training and development. Following this agreement, the US would equip the Armed Forces of the Philippines with certain services, arms, ammunitions, equipment, and certain naval vessel as well as aircraft. Some of these initial equipment were to be provided “gratuitously,” but “additional equipment and supplies other than those surpluses to the needs of the US required in the continuance of military assistance shall be subject to the reimbursement by the Republic of the Philippines on terms to be mutually agreed upon” (Foreign Service Institute, 1985).

### *2.2.2. Elpidio Quirino administration*

On August 30, 1951, the Philippines concluded a Mutual Defense Treaty (MDT) with the US. It was signed in Washington DC by President Quirino and President Truman. The principal rationale for the Philippine-US MDT was to deter Chinese aggression. The strong anticommunist orientation of the MDT and the raging Cold War made it impossible for the Philippines and the US allies in Asia to enter into security cooperation with China, the USSR, and their respective allies (Dagdag, 1999). Quirino further stated in his speech that the purpose is to give notice that a potential aggressor must henceforth take due account of our common purpose and united will to act in self-defense (Quirino, 1951).

On February 25, 1953, the Department of Foreign Affairs received a note from the US government seeking to acquire more lands. In particular, the US wished to acquire two tracts with a combined area of 1,400 acres (567 acres) in Subic for a transmitter station, 866 acres on land, and 534 on water. The other was a tract of 3,800 acres (1,538 hectares) for a receiver station (Romualdez, 1980).

The US encountered difficulties with the Philippine Government, and this proved a hindrance to the program of expansion and modernization of the bases. One of the sources of difficulty was the fact that the US took for granted that she held the title in fee-simple to the lands comprising the military bases she was operating in the Philippines under the MBA of 1947. Quirino did not accept this claim.' This basic difficulty was further complicated by the fact that the United States was now asking for additional lands to be transferred in like fee-simple title in the projected expansion, and this request was based on the MBA of 1947. The US, however, was

having difficulty in getting the Philippine Government to release these properties desired by the United States for expansion of the bases (Brownell as cited in The Lawyers Journal, 1954).

### ***2.2.3.Ramon Magsaysay administration***

In his first state of the Union message to Congress on January 25, 1954, Magsaysay stressed, as in the national interest, the necessity for meeting with the representatives of the US Government to settle legal questions about military and naval bases (R.P. Official Gazette, 1954). However, some problems occurred due to differences of interpretation of the two countries regarding the bases.

On March 17, 1954, three days after the seventh anniversary of the signing of the MBA and exactly seven years after President Manuel Roxas submitted the agreement for approval to the Philippine Senate appeared in Manila newspapers an Associated Press dispatch, dated Washington, March 16, 1954, containing excerpts from a legal opinion written by United States Attorney- General Herbert Brownell, Jr. This legal opinion, the contents of which we shall deal with more fully, stated that the US had title to ownership of the lands comprising the bases maintained by her in the Philippines. According to the press dispatch, this document, previously classified, was released that day by the Attorney-General's office and was to form the basis of the US' position in formal negotiations with the Philippines expected to begin that month (Paterno, 1964). This became known as the Brownell Opinion.

The Brownell Opinion dealt with the question of ownership, not with that of sovereignty over the bases. The subject at issue was ownership or proprietary title to the lands comprised by the bases. The Brownell Opinion was an answer to questions on the US' retention of title on the military and naval bases; its transfer of title to the Philippine Government without compensation; and US authority to transfer the title to the Philippines as it wished (Paterno, 1964).

On March 19, 1956, the Capas incident provided additional fuel for Philippine attacks against the military bases. A mining company, called the Philippine Base Metal Mines Company, had been digging manganese ore at Bueno Hill within the municipal territory of Capas, Tarlac Province. This incident persuaded President Magsaysay to direct Vice-President Garcia to hold

talks with the American Embassy to determine whether the area in question was in fact within the military reservation.

On May 25, 1956, Magsaysay appointed Vice President Carlos P. Garcia as chairman of the Philippine panel on proposed military bases renegotiation talks and he prepared a four-point agenda: the question of jurisdiction over the bases delimitation and expansion of bases; taxes, tariffs, and other economic laws of the Philippines that were applicable in the bases; and, the question of ownership and sovereignty over the bases (Paterno, 1964). Magsaysay directed Garcia to give priority consideration to the problems of delimitation and jurisdictional conflicts (R.P. Official Gazette, 1956).

The Joint statement made on July 3 1956 by President Magsaysay and then US Vice-President Richard M. Nixon contained a promise that the US would give up its claim to the ownership of the bases in the Philippines (Romualdez, 1980). The statement read that the US, since Philippine independence, had always acknowledged Philippine sovereignty over bases and was to transfer all title papers and title claims to them the two governments were to hold formal negotiations on military bases, guided by mutual interest and concern for the common defense under UN principles; and the Philippines was to contribute additional lands as deemed necessary by both governments to strengthen the bases system, and the US was to return area no longer needed (R.P. Official Gazette, 1956).

On August 11, 1956, Vice President Garcia opened the formal talks on the bases agreement and turned over the negotiations to Senator Emmanuel Pelaez. The American Panel was headed by Karl Bendetsen, Assistant Secretary of Defense of the US. The Philippine proposals for discussions were as follows: the application of Philippine laws in bases to include jurisdiction, taxation, customs, immigration, sanitation, communications, water rights, and operative timber and mineral laws; the turnover of areas no longer needed; the specific delimitation of bases; the expansion or acquisition of new bases through joint consultation the correlation of a modernized base system with the treaty of mutual defense; more definite US assurances of immediate and automatic retaliation in case of attack; more military aid; the creation of a permanent Philippine-US council for consultation for wartime use of bases (Domingo, 1993, p. 171).

#### *2.2.4. Carlos P. Garcia administration*

On military and security measures, President Garcia's administration succeeded in having the Philippine flag flying to the American flag on the bases since May 1957; the US relinquished the Manila military port area, the only remaining American military installation in the city in 1958; and in 1959 the American ambassador in Manila signed a memorandum of agreement with Secretary Serrano for mutual consultation on long-range missile sites, shortening base leaseholds from 99 to 25 years with renewable options, and relinquishing control over Olongapo. US military holdings were limited to a few minor installations and four major bases-Clark Air Base, two main naval bases at Sangley Point in Cavite and Subic Bay in Zambales, And recreational Camp John Hay in Baguio City (Domingo, 1993).

On the other hand, the US Government was aware that the terms of the military bases agreement were singled out by the nationalist bloc as an archetype of inequality in Philippine-American relations. The US Government believed that these criticisms might be exploited by anti-Americans (FRUS, 1992). Thus, it reiterated its desire for the MBA to be examined and modified accordingly (National Security Council Report, 1958).

In 1958 another controversy cropped up at Clark Air Base. Filipino guards under the employ of the US Armed Forces shot and killed Filipino civilians on the ground that they were pilfering military property. Records reveal that at least 20 such incidents had happened in the past. The Filipino provincial fiscal charged that the American officers issued orders to shoot only Filipinos involved and to only arrest Americans. In 1959 the House Committee on Defense Appropriations released a report saying that mass pilferage was happening in the military bases in the Philippines and that it was only reasonable to expect 40 percent delivery of supplies because of pilferage (US National Security Council as cited in *Managing Nationalism*, 1981).

In 1958, the US National Security Council in 1958 pressured Garcia to commence the renegotiation (US National Security Council as cited in *Managing Nationalism*, 1981) which took place in the Bohlen-Serrano Agreement. Secretary of Foreign Affairs Felixberto Serrano headed the Philippine panel, while US Ambassador to the Philippines Charles Bohlen headed the American panel (Bohlen, 1973).

The Serrano-Bohlen Negotiations lasted for one year and came to a close on October 12, 1959, which highlighted the Reduction of the life of the lease [of military bases] from 99 to 25 years (Philippine Treaty Series, 1957) among others.

#### *2.2.5. Diosdado P. Macapagal administration*

Negotiations regarding the American bases in the Philippines were again taken up during the latter part of the Diosdado Macapagal administration. This was motivated mainly by the shooting incident involving American servicemen and Filipinos Victims in November and December 1964, and the subsequent bomb hoax concocted by the US embassy. Because of the nature of the incidents, the issue that was discussed by Philippine Foreign Affairs Secretary Mauro Mendez and the US Ambassador William McCormick Blair, Jr. was the ticklish problem of jurisdiction. Resumption of the negotiations were begun in 1965 and because of the demonstrations before the US Embassy deploring the injustice of the American military authorities, the atmosphere of the day favored the Philippines and caused the Philippine panel to demand more and the US panel to soften up on the previous US stand on jurisdiction (Barbieto, 1969).

At the commencement of the negotiation, Ambassador Blair unknowingly made a misguided press release on the alleged bombing incident on the school for American dependents at Clark Field. Allegedly, two unidentified male Filipinos had thrown a 57-mm mortar shell into the premises resulting in the evacuation of the children from the school building (Manila Bulletin, 1965; Manila Times, 1965).

Despite the squabble and criticisms, the negotiation persisted and concluded with a surprising result – the execution of the Mendez-Blair Agreement amending Article XIII of the 1947 MBA on criminal jurisdiction on August 10, 1965 (Romualdez, 1980; pp.406-414).

On August 10, 1965, an agreement was reached upon between the negotiating panels about criminal jurisdiction. In this new arrangement, each country will have exclusive jurisdiction concerning offenses that are punishable by its laws but not by the laws of the other country. The new arrangement reduced the former jurisdiction of the US and confined its exercise of primary jurisdiction to two types of cases: 1. Offenses solely against the property or

security of the US or offenses solely against the person or property of a member of the US Armed Forces or civilian component or dependent; and 2. Offenses arising out of any act or omission has done in the performance of official duty. The primary right of the US to exercise jurisdiction was limited only to person subject to the military law of the US who are regularly assigned to the Philippines or present in the Philippines in connection with the presence of the US bases (Diplomatic Agenda of Philippine Presidents (1946-1985 as cited in Foreign Service Institute, 1985; pp.135-136).

#### *2.2.6. Security leverages gained by President Ferdinand E. Marcos US military bases*

With this foreign policy initiative, President Marcos resolved to review RP-US relations based on diminished sovereign rights of the Philippines; non-conformity with the principles of equity and justice; insufficient and limited US military aid to the Philippines; American ambivalence about its commitments; and non-guarantee of American protection of the Philippines against any eventuality of massive invasion from abroad (Resos, 2013).

Philippine demands for broader jurisdiction over criminal acts by US servicemen, and continued insistence on generous base rentals delayed agreement, however, until January 1979. In his speech in the Armed Forces of the Philippines Anniversary in Camp Aguinaldo on December 21, 1977, Marcos reiterated the true purpose of the existence of military bases in the country. He said that “we do not allow their continued existence for reasons other than the need for security and peace... (1983 Philippines-US Military Bases Agreement Review as cited in Foreign Service Institute, 1983; p. 7)”.

On January 7, 1979, the Philippines and the US exchanged notes confirming acceptance of amendments to the MBA of 1947. The notes exchanged was the letter of US President Jimmy Carter to Philippine President Ferdinand Marcos the letter of Philippine Foreign Minister Carlos P. Romulo to US Ambassador Richard Murphy and the letter of US Secretary of State Cyrus Vance to Philippine Foreign Minister Carlos P. Romulo. The provisions of the agreement became highly favorable to the Philippines as its flag shall be flown singly at the bases; it shall be under the command of a Philippine base commander; and there will be a review and reassessment of the Agreement, including its objectives, its provisions, its duration, and the



manner of implementation, to assure that the Agreement continues to serve the mutual interest of both parties every five years (Pringle, 1986).

### ***2.3. Factors that led to the termination of the Military Bases Agreement***

The most important foreign policy issue of the decade, the fate of US military bases, was deliberately downplayed by President Corazon C. Aquino. At the beginning of the election campaign in late 1985 she had favored the removal of the bases, but by January 1986 had become comfortable with a different formula: Respect the present agreement until it expires in 1991, and then ‘keep my options open’ (Wurfel & Burton, 1990).

From 1990-1991, the Philippines and the US conducted a two-phase negotiation aimed at establishing the framework for discussing the future of the Philippine Bases, the nature of so-called U.S-R.P. (Republic of the Philippines) relations, and a new bases treaty. Washington and Manila found themselves without any clear consensus on the alliance’s *raison d’etre*, during these negotiations. After nearly 11 months of hard and tedious bargaining, Washington and Manila forged a new accord to replace the 1947 MBA- the Treaty of Friendship, Cooperation, and Security,” or “Pact of 1991.” However, the predominantly anti-base Philippine Senate had to approve this treaty. Most of the senators were upset by the low base-related compensation of \$203 million for the American use of Subic Naval Base. They were also bitterly opposed to the phase-out period of 10, instead of the seven years without any extension (as cited in Radyo ng Bayan, 1991). In addition, the senators were indignant that the arrangement had maintained the status quo and had barely changed the provisions of the 1947 MBA (as cited in *The Chronicle*, 1991).

The exploratory talks began on May 15, 1990. President Aquino proclaimed that the military bases were not the soul of Philippine-American relations, but it was necessary to put these relations in their proper place (*Philippine Daily Inquirer*, 1993). On opening day, the Philippine panel headed by Foreign Affairs Secretary Raul S. Manglapus presented to the US panel, headed by Mr. Richard L. Armitage, a formal diplomatic note stating that the MBA would be terminated as of September 16, 1991, and “cannot be extended (Salonga, 1995, p. 195).

These formal negotiations began on September 18, 1990. Since then, it was succeeded by sessions held on September 26, 1990, November 26, 1990, and January 3, 1991 (Salonga, 1995,

p. 208). However, the negotiating phase was affected when Mt. Pinatubo erupted in June 1991 near the area of the bases.

On September 16, 1991, the entire nation was watching in the Philippine Senate as it finally took the vote on Senate Resolution No. 1259 also known as the Resolution of Nonoccurrence. With a vote of 12-11, Senate President Jovito Salonga declared that the stay of American Military Bases in the Philippines was terminated (Salonga, 1995, p. 228).

#### ***2.4. Implications of the MBA in the shaping the Philippine Foreign Policy***

The military foreign policies of the Philippines have in some ways transformed but in other ways manifested resilient continuities from a more distant past. History has paved the way for the gradual establishment of the present security agreement, EDCA as a mechanism for military-to-military cooperation. The military foreign policy of the Philippines continues to evolve to surmount the challenges of the changing times. In the course of Philippine history, the following events have shaped the military foreign policies of the Philippines: The 1947 MBA, the 1951 MDT served as the mechanism for the two countries, as defense partners, to respond in the event of an armed attack by foreign forces on the metropolitan territories, armed forces, public vessels or aircraft of either country (Department of Foreign Affairs, 2016). The 1953 Mutual Defense Assistance Agreement revised and extended the 1947 Military States Government to make equipment, materials, devices and other assistance available to the Philippines. The Visiting Forces Agreement (VFA) was based on shared interest of regional peace and stability. It regulates the circumstances and conditions under which US forces may visit the Philippines for bilateral military exercises. The Mutual Logistics Support Agreement, a facilitation agreement for reciprocal provisions of logistics between the Armed Forces of the Philippines and U.S. forces especially for the limited basing of U.S. forces in the Philippines. The Mutual Logistics Support Agreement can come to play only in conjunction with an approved activity under the MDT or VFA (Goodenough, 2011). All of those foreign military policies form the starting point for the creation and reconstruction of the Philippines' military foreign policy and the basis for its integration in the global sphere.

US hegemony in the Asia-Pacific is based on two important pillars: bilateral security arrangements and sufficient forward deployment of military forces. During the Cold War, US

security objectives in the Asia-Pacific were enhanced by a series of bilateral arrangements by which regional allies were linked to the US, but not effectively to each other. These allies provided the US with overseas military bases. In return, they were given the protection of an American-extended deterrence, economic and military assistance, and access to US markets for their exports. This arrangement in providing security and economic assistance and access to the US markets was an integral part of the American global strategy for the containment of communism, and not a policy derived from the region itself (De Castro, 1994).

In the first half of 2014, the US and the Philippines signed a ten-year defense agreement. Under this new pact, the US will have access to five new military bases in the country (The Washington Post, 2014). Philippine President Benigno Aquino III affirmed that EDCA: “Takes our security cooperation to a higher level of engagement, reaffirms our countries’ commitment to mutual defense and security and promotes regional peace and stability” (Lersch, 2014)).

The US-Philippines relations in defense areas are outlined by the Enhanced Defense Cooperation Agreement (EDCA), which is characterized by both governments as an executive agreement and not as a formal treaty, not requiring the consent of the Senate in neither country (Thayer, 2014). This agreement is an important reaffirmation of the Philippines’ sovereignty, since the use of Philippines’ territory for North-American military facilities can only be used with invitation of the home country. EDCA might be understood as a reaction of the US to China’s expansion in the South China Sea. However, this intention was denied by both the US and the Philippines.

## **5. Conclusion**

The military foreign policy of a nation is partly determined by its political-economic system and culture and influenced by history and geography. The realities brought by transnationalization, domination and dependency have profound implications on the Philippine society, economy, culture, and certainly for the Philippines’ domestic and foreign policies. In the end, these forces constrain how much independence and self-determination Filipinos can truly achieve and enjoy. It should be realized that some nations with similar situation have been able to assert their national interest and national will more effectively.

The Philippine-U.S. alliance has grown through the years. This development, however, is not without some growing pains. Regardless of the rough roads it occasionally has taken, the

partnership has overcome many challenges and continues to progress. Just as in developing countries, like the Philippines, action may be taken based on the reputation and intrinsic interests of decision-makers (foreign policymakers) as much as on a rational and objective calculation of national interests.

Technical arrangements and procedures for the implementation of the Military Bases Agreement concerning the United States military operations in the Philippines:

President Manuel Roxas emphasized the need for military bases as the link of the Philippines between national and international security. Another is participation in world affairs. He said that in an atomic age, interdependence among nations is needed. It was very evident that the 1947 Military Bases Agreement and the 1947 Military Assistance Agreement were approved during his administration. Since then, it became a subject of foreign policy debates. When Elpidio Quirino succeeded the presidency after the death of Roxas, his administration has sought neutrality and paid attention mostly to regional cooperation within Asia. As a result, the 1951 Mutual Defense Treaty was signed where the US will aid the Philippines in case of an armed attack. The main purpose of the Mutual Defense Treaty was to prevent China from its Communist aggression as well as from cooperating with them, the Soviet Union, and their allies.

When President Ramon Magsaysay assumed office, he revived traditional policy with the US. Despite his efforts to maintain national security, several criticisms questioned a lot of aspects of Philippine-American relations. It was further affected by the 1956 Capas Incident wherein the Philippine Base Metal Mines Company was prohibited from transporting ores at Clark Field. This pushed Magsaysay to instruct Vice President and Foreign Affairs Secretary Carlos P. Garcia to talk to the US Embassy and discuss the issue. He was asked by Magsaysay to prioritize the issues of bases delimitation and jurisdictional conflicts. It led to formal talks with Karl Bendetsen, the US Assistant Secretary of Defense in 1956 (known as the Garcia-Bendetsen Talks) to discuss certain issues regarding the bases such as application of Philippine laws in the bases to include jurisdiction, taxation, customs, immigration, the specific delimitation of bases among some. When Pres. Carlos P. Garcia assumed the presidency after Magsaysay's death due to a plane crash on March 18, 1957, he affirmed the alignment of the Philippines with the US and rejected neutralism as his foreign policy. With an incident in Clark Air Base in 1958 wherein Filipino civilians were shot by Filipino guards under US Armed Forces for the alleged proliferation of military property, and several other incidents, another renegotiation took place

between the Philippines led by Foreign Affairs Secretary Felixberto Serrano and US Ambassador Charles Bohlen. As a result of the Bohlen-Serrano Agreement: Olongapo was transferred to the Philippine Government; the lease of military bases was reduced from 99 to 25 years; consultation of the US Government to the Philippine Government for the use of military bases and putting up of missile launching sites in the Philippines; and commitment by the US to repel an attack on any point of the Philippine territory. It was during the last years of the administration of President Diosdado Macapagal when the negotiations in US military bases took place. The turning point was the shooting incident which involved US servicemen and Filipino victims in November and December 1964, and a hoax bomb threat invented by the US Embassy. Led by Philippine Foreign Affairs Secretary Mauro Mendez and US Ambassador William McCormick Blair Jr, the jurisdiction of the bases was the main issue. After a series of negotiations, the Mendez-Blair Agreement amended Article XIII of the 1947 Military Bases Agreement in 1965. During the term of President Ferdinand E. Marcos, Philippine Foreign Policy moved in a new direction especially with regards to the military bases. Forging an independent foreign policy, he was able to establish diplomatic ties with the Communist countries including the People's Republic of China and the Eastern European Communist-Bloc while maintaining its alliance with the United States. About the military bases, the Philippines and the United States exchanged notes in 1979 to amend the Military Bases Agreement. The changes included: the Philippine Flag to be flown singly at the bases; The Philippines base commander will command each bases, and thorough review and reassessment of the Agreement every five years after the date of modification and until the Agreement is terminated. After Marcos' downfall in 1986, President Corazon C. Aquino left the situation of the military bases at the hands of the Constitutional Commission. It is thru an executive agreement to a treaty that needed a two-thirds vote of the Senate. A review on the MBA was conducted by Raul Manglapus and George Shultz in 1988 which provided \$962 million in security, development and commodity assistance to people living within the bases. When most of the senators found that the compensation of \$ 203 million for the US use of Subic Naval Base is very low, they believed that the provisions of the 1947 MBA were barely revised. The Treaty of Friendship, Cooperation, and Security. Negotiations began on September 18, 1990, and were succeeded by three more on September 26, 1990, November 26, 1990, and January 3, 1991. On September 16, 1991, on a nationwide observed session, a vote of 12-11 was made by the Philippine Senate to officially end the Military Bases Agreement.

The termination of the MBA has paved way for the signing of the current security agreement known as the Enhanced Defense Cooperation Agreement (EDCA). Because of the international, national, and local realities that took place, Philippine military foreign policy evolved. The issue of sovereignty should also be considered. During the stay of US military bases in the Philippines, sovereignty is being questioned primarily by nationalist lawmakers, scholars, and activists because they believe that it is a tool of the Americans to interfere in Philippine internal affairs. Sustaining military bases abroad is costly to powerful nations like the US especially if the opposition of the host nation is strong.

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