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Echoes of Imperialism: The Philippines and America in the South China Sea

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Echoes of Imperialism: The Philippines and America in the South China Sea

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Fall 2023

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Abstract

This paper provides an overview of the conflict between the Philippines and China in the South China Sea, Philippine history following its liberation from Spain to its independence from America, and the continuing impacts of American imperialism on the modern day Philippines. While it is argued that American military intervention on behalf of the Philippines is necessary in order to protect its territories in the South China Sea, this would only strengthen its legacy of imperialism on the Philippines. By analyzing case studies of sexual assaults perpetrated by US troops, such as the Jennifer Laude case and the Subic rape case, as well as the phenomenon of brain drain resulting from American recruitment efforts, the paper provides warnings of what may follow increased blurring between the Philippine and American militaries. Through a critical lens, it explores the complex dynamics of power, sovereignty, and dependency that underlie the relationship between the two nations.

Introduction

Throughout its history as a free nation, the Philippines has maintained a close relationship with the United States, negotiating American access to the Islands in exchange for aid. Battered by World War II in which an estimated one million Filipinos died or were killed, the Philippines allowed the construction of American military bases on its islands in 1947 in return for American aid in rebuilding the country.¹ It is undeniable that the tapestry of modern-day Filipino culture has been woven with a distinctly American thread, its consequences impacting every sector of Philippine society.

American forces remained in the country until 1991, when the Philippine Senate voted against the renewal of American bases; by the end of 1992, all American forces had left the country. Three years later, however, Philippine military planners became alarmed when China occupied and fortified the Philippines-claimed Mischief Reef in the South China Sea, resulting in the 1999 Philippines-United States Visiting Forces Agreement, which allows U.S. military aircrafts and vessels entry into the Philippines.² The VFA was created, ostensibly, for the benefit of both countries, affording the Philippines security. This claim of protection is one that continues to be evoked by the United States as conflict between the Philippines and China simmers and threatens to boil over.

As the daughter of Filipino immigrants, the argument for American aid is one that I've spent many hours discussing at the dinner table. Concerned about the Philippines' ability to defend itself against stronger forces like China, my father asserts that the biggest mistake in the history of the Philippines was its removal of U.S. bases. He remains a major proponent of American forces and bases returning to the Islands, and while I see his concern, it's difficult for me to fully embrace the U.S. military with open arms.

Many have argued that full American return would only usher in another wave of American imperialism, and after learning more about the American colonial period and its lasting effects, I have to agree. This paper seeks to examine the effects that American intervention would have on its legacy in the Philippines, as well as survey the history of the Philippines in the South China Sea. Two case studies will also be discussed, indicative of the consequences further U.S. involvement would have on the Philippines.

¹ Alejandro M. Fernandez, "The Philippines and the United States Today," *Southeast Asian Affairs* (1976): 269, accessed from <http://www.jstor.org/stable/27908285>.

² Carl H. Landé, "The Philippines and the United States," *Philippine Studies* 49, no. 4 (2001): 518–39, 533, <http://www.jstor.org/stable/42633497>.

Background

Addressing Misconceptions on Philippine Society

Philippine society can best be understood as a mosaic. An amalgamation of different islands, histories, languages, and cultures, each fragment is distinct, but together, they create a unified whole. When examining the Philippines, it is important to acknowledge that it is not 100% homogenous; however, one must note that the extent of the discreteness of its different pieces is often overstated. While it may be tempting to point to these perceived differences as causes for the instability characteristic of Filipino politics, this is a mistake for reasons I will outline.



A map illustrating different major regional languages spoken in the Philippines.³

First, while there are a number of different languages spoken in the Philippines, around 80% of the adult Filipino population can speak, write, and understand English.⁴ This percentage

³ Matthew or, "Phillanguages" Wikimedia Commons, November 26, 2006, <https://commons.wikimedia.org/wiki/File:Phillanguages.jpg>. Distributed under a CC BY-SA 3.0 license.

⁴ Filane Mikee Cervantes, "SWS: 47% of Filipinos 'competent' with English language," *Republic of the Philippines Philippine News Agency*, August 16, 2023, <https://www.pna.gov.ph/articles/1207936#:~:text=The%20March%20survey%20also%20revealed,apply%20any%20of%20these%20skills>.

does not count younger populations, and as English is the language of instruction in the Philippines, the amount of young English speakers is likely even higher. In fact, due to constant exposure to American media, a growing concern is that too many children are only speaking English and not their provincial languages, which is something I have seen with my own nieces and nephews. Further, 96% of the population that attended school speak and can understand the national language, Tagalog/Filipino.⁵ While provincial languages are still a part of daily life in specific villages, towns, and cities, a majority of Filipinos have no problem with switching to the two aforementioned lingua francas. This shows that the Philippines is not as linguistically disconnected as some may claim. A further example is that most political speeches and rallies on the national level are presented in a mix of Tagalog and English. Thus, while mother tongues are still important social and cultural signifiers, overall differing languages do not pose a threat to a unified Philippine society.



A map of the different regions of the Philippines. Note the Bangsamoro Autonomous Region in Muslim Mindanao.⁶

Following the Spanish and American colonial periods, the formation of a cohesive national Filipino identity superseded the individual groups present on the Islands. While there are

⁵ National Statistics Office, "Educational Characteristics of the Filipinos (Results from the 2000 Census of Population and Housing, NSO)," March 18, 2005, accessed January 21, 2008, <https://web.archive.org/web/20080127182353/http://www.census.gov.ph/data/pressrelease/2005/educ.pdf>.

⁶ HueMan1, "Ph regions and provinces," Wikimedia Commons, July 1, 2019, https://commons.wikimedia.org/wiki/File:Ph_regions_and_provinces.svg. Distributed under a GNU 1.2 license.

still many indigenous groups in the Philippines with distinct cultures, most Filipinos do not trace their lineage using indigenous ties but rather point to ethnicities such as Filipino, Spanish, or Chinese. My parents, who are from Mindanao, which is where most still-living indigenous groups are, have said that they know little to nothing about indigenous Filipino culture, and interactions that my family (myself included) have had with indigenous Filipinos have occurred in Tagalog, English, or our native tongue of Bisaya. The most ardent groups pushing for separation from the overarching Philippine identity are minority groups such as the Moro Islamic Liberation Front, those in the Bangsamoro Autonomous Region in Muslim Mindanao, or the Communist Party of the Philippines. Still, while some members of these groups have staged significant terrorist attacks and have their names thrown around frequently by politicians, this is, for the most part, Red Scare-type fearmongering, as their membership actually makes up a small percentage of the population.



A Philippine Jeepney, a remnant of the American colonial period and the most popular means of public transportation in the Philippines.⁷

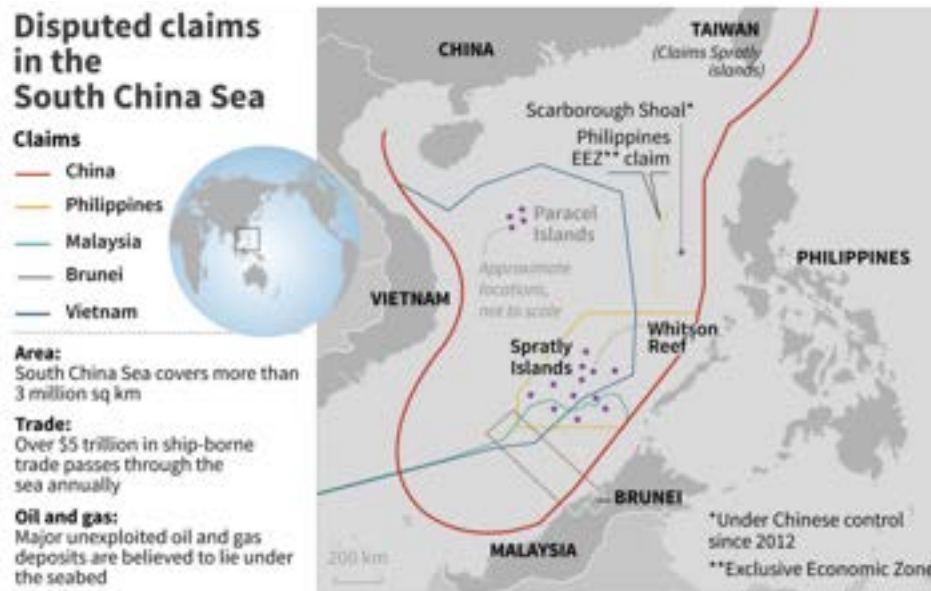
Finally, while it definitely is not quick to travel from the top of Luzon to the bottom of Mindanao, it is not impossible. Ferries and other boats, planes, and even bridges are common connectors between different islands. Filipinos in dense Metro Manila can enjoy fresh produce from remote, mountainous regions; people island hop for pleasure and work frequently. Although geographical and topographical differences may result in differing access to political channels, they do not mean that the country is inherently disconnected.

While some problems in the Filipino political system may stem from language barriers,

⁷ Lawrence Ruiz, "Jeepney in Legazpi City," Wikimedia Commons, February 26, 2016, https://commons.wikimedia.org/wiki/File:Jeepney_in_Legazpi_City.JPG. Distributed under a CC BY-SA 4.0 license

different cultures, and difficulty in getting around in the Philippines, I believe that the history of colonization and imperialism are more significant factors.

China's Expansion in the South China Sea



A map illustrating territorial disputes in the South China Sea.⁸

The South China Sea lies in the West Pacific Ocean, surrounded by a handful of states that have all made overlapping territorial claims to its features. Of these claimants, China has emerged as the dominant force, and although others have also engaged in military actions within the region, scholars such as Asian maritime disputes specialist Dr. Rebecca Strating note that China has played a “substantial role” in the militarization of the sea.⁹ China has stationed anti-ship and long-range surface-to-air missiles on their artificial islands and utilized maritime militia for “surveillance and intimidation purposes,” sending a clear message to those who look to challenge their territorial claims.¹⁰ This strategic maneuvering raises a critical question: Why is this contested territory so significant to China?

⁸ David Rosenberg, *Disputed claims in the South China Sea*, <https://newsinfo.inquirer.net/789288/maritime-disputes-loom-large-as-us-china-hold-talks>.

⁹ Rebecca Strating, "Setting the Context: The South China Sea Disputes," in *Defending the Maritime Rules-Based Order: Regional Responses to the South China Sea Disputes* (East-West Center, 2020), <http://www.jstor.org/stable/resrep25045.5>, 5.

¹⁰ Strating, 5.



A graphic illustrating trade routes that pass through the South China Sea.¹¹

As former PLAN Commander Admiral Liu Huaqing stated, “whoever controls the Spratlys will reap huge economic and military benefits.”¹² First, the South China Sea offers a wealth of critical natural resources such as hydrocarbons and fish. China estimates that the Sea’s Spratly Islands are surrounded by 105 billion barrels of hydrocarbons, organic compounds that are essential for energy production, transportation, and manufacturing, and a significant amount of China’s seafood is also caught in the South China Sea.¹³ Second, the South China Sea is a crucial economic corridor, with a majority of China’s trade – including 80% of its oil imports – and a third of the world’s shipping passing through the Sea.¹⁴ Finally, the South China Sea and its islands provide a significant military boon to whoever controls them, with Dr. Strating noting that control of the Sea is important for “power projection... and the establishment or maintenance of great-power status” in Asia.¹⁵ For China, the South China Sea provides a maritime barrier for its southern provinces and would prove useful should conflict between the United States and China arise.¹⁶

Although territorial disputes over the South China Sea have existed since the beginning of the twentieth century, current disputes over the sea have caused this region to evolve into Southeast Asia’s next powder keg, triggering alarm among experts who warn of its potential to ignite major conflict. It is, however, still a historical story, stretching back to the Han Dynasty. Beijing’s territorial claims have a historical basis, asserting that Chinese forebears were the first

¹¹ U.S. Energy Information Administration, *Major crude oil trade flows in the South China Sea (2016)*, 2018, <https://www.flickr.com/photos/eiagov/43582519014/>.

¹² M. Taylor Fravel, “China’s Strategy in the South China Sea,” *Contemporary Southeast Asia* 33, no. 3 (2011): 292–319, accessed from <http://www.jstor.org/stable/41446232>, 296.

¹³ Fravel, 296.

¹⁴ Fravel, 296.

¹⁵ Strating, 6.

¹⁶ Fravel, 296.

to discover the Islands in the South China Sea and use its resources.¹⁷ Further, a number of official maps from the Ming (A.D. 1368 to 1644) and Qing (A.D. 1644 to 1911) Dynasties include the Spratly Islands as a part of Chinese territory, with Chinese fishermen living, dying, and being buried on the Islands since at least the 1900s.¹⁸ The Spratly Islands were the first sites in the Sea to be contested; the French attempted to occupy them in the early 1930s, facing strong opposition from the Chinese fishermen already there.¹⁹

In 1935, China published an official map of the features of the South China Sea in an attempt to solidify their claims to the region.²⁰ This stance was bolstered by growing Chinese nationalism which former maritime strategy professor Bernard D. Cole and other scholars trace back to China's "Century of Humiliation" from 1839 to 1939.²¹ During this century, China's internal weakness and conflict allowed for foreign nations, namely Japan, to exert power over China's sovereignty; scholars and analysts claim that the painful memories of this century have guided Beijing in its assertive and often aggressive campaign in the South China Sea.²²



The nine-dash line, shown in green.²³

¹⁷ Li, Mingjiang. "Reconciling Assertiveness and Cooperation? China's Changing Approach to the South China Sea Dispute." *Security Challenges* 6, no. 2 (2010): 49–68, 53, <http://www.jstor.org/stable/26459937>.

¹⁸ Li, 53.

¹⁹ Li, 54.

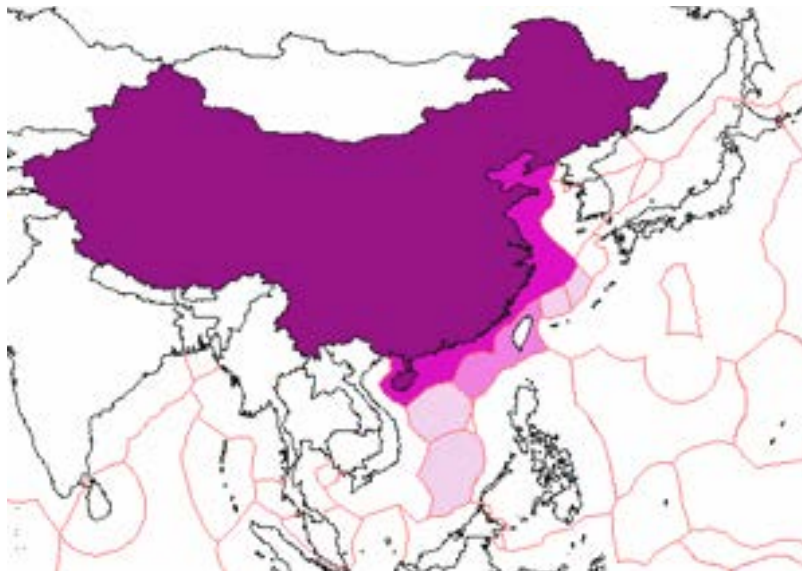
²⁰ Li, 54.

²¹ Bernard D. Cole, "Conflict in the South China Sea," *Great Decisions*, 2017, 39–50, accessed from <http://www.jstor.org/stable/44215462>, 39.

²² William A. Callahan, "National Insecurities: Humiliation, Salvation, and Chinese Nationalism," *Alternatives: Global, Local, Political* 29, no. 2 (2004): 199–218, 210, accessed from <http://www.jstor.org/stable/40645112>.

²³ U.S. Central Intelligence Agency, "9 dotted line," 1988, Wikimedia, https://commons.wikimedia.org/wiki/File:9_dotted_line.png. In the public domain.

One of China's most pivotal claims about the South China Sea came in December of 1947, during which its government published a map with a U-shaped line that encompassed most of the sea, claiming it as Chinese territory.²⁴ This line, often referred to as either the nine or eleven-dash line, was, at the time of its original publication, undisputed; thus, the People's Republic of China was able to inherit it in 1949.²⁵ In 1951, Chinese premier Zhou Enlai issued a statement following peace treaty agreements with Japan. The statement included a declaration of China's sovereignty over the Spratly and Paracel Islands; seven years later, during the Second Taiwan Strait Crisis, these territorial claims morphed into maritime claims as well, as Beijing began to assert that China had "indisputable sovereignty over the Spratly Islands (or South China Sea islands) and adjacent waters."²⁶ Through the codification of domestic legislation throughout the '90s, China continued to expand the area that fell under its jurisdiction, claiming an exclusive economic zone (EEZ) and continental shelf on their alleged territorial waters.²⁷ In addition to extending their claimed territory, passage of this legislation also worked to ensure that China's legal system was congruous with the requirements of the United Nations Convention on the Law of the Sea (UNCLOS), which supports the rights of coastal states to specific maritime zones. The uncontroversial publication of the nine-dash line and ensuing legislation form the basis of Beijing's modern day claims, although there is much disagreement between China and the United Nations about their validity.



The EEZ claimed by China. Dark purple is undisputed, dark pink is claimed by China but disputed by Taiwan, light pink (which includes the supposed EEZ in the South China Sea) is claimed by China but disputed by other countries.²⁸

One of the glaring issues is that of definition. Coastal states are entitled to EEZs that

²⁴ Li, 54.

²⁵ Li, 55.

²⁶ Fravel, 292-293.

²⁷ Fravel, 293.

²⁸ ASDFGHJ, "China Exclusive Economic Zones," Wikimedia Commons, March 10, 2009,

https://commons.wikimedia.org/wiki/File:China_Exclusive_Economic_Zones.png. Distributed under a CC BY-SA 3.0 license.

reach up to 200 nautical miles past their territorial limits.²⁹ In China's case, the territories that allow for it to claim the South China Sea as an EEZ are land features other than the Parcel and Spratly Islands; however, under Article 121(3) of UNCLOS, these land features do not qualify as islands and are thus an invalid basis for an EEZ claim.³⁰ Further, while Article 14 of the 1998 EEZ law states that it "shall not affect the historical rights that the PRC enjoys," it does not specify exactly what exactly these historical rights are.³¹ This ambiguity has split scholars, with some asserting that it encompasses prior territorial claims while others assert it does not; as no other Chinese law has specified these rights, both camps find themselves debating the legitimacy and scope of Beijing's claims.



A map showing a part of the Spratly Islands claimed by the Philippines as the Kalayaan Island Group.³²

Although the Philippines' history in the sea is much more recent, it is nonetheless just as controversial. The Philippines first quietly sent troops to the South China Sea, also known as the West Philippine Sea, in 1968. Three years later they formally announced their intention to

²⁹ NOAA, "Maritime Zones and Boundaries," accessed from [https://www.noaa.gov/maritime-zones-and-boundaries#:~:text=Each%20coastal%20State%20may%20claim%20an%20Exclusive%20Economic%20Zone%20\(EEZ,boundary%20with%20another%20coastal%20State\)](https://www.noaa.gov/maritime-zones-and-boundaries#:~:text=Each%20coastal%20State%20may%20claim%20an%20Exclusive%20Economic%20Zone%20(EEZ,boundary%20with%20another%20coastal%20State))

³⁰ Fravel, 294.

³¹ China Exclusive Economic Zone and Continental Shelf Act 1998.

³² National Mapping and Resource Information Authority, "Features in the Kalayaan Island Group," Wikimedia Commons, July 9, 2023, https://commons.wikimedia.org/wiki/File:Features_in_the_Kalayaan_Island_Group.jpg. In the public domain.

occupy some features of the Kalayaan island group, garnering international attention. While the Republic of China claimed the nine-dash line in the 1930s, the People's Republic of China did not take significant action in the region until 1994, during which forces occupied parts of the Philippines-claimed Spratly Islands. Although the land was uninhabited at that time, the 1995 discovery of Chinese-built structures by Philippine armed forces and fishermen was seen as a threat to the Philippines' sovereignty, the first in a series of perceived offenses against the Philippines.³³

The next decade brought tension and hostility between the two countries. In 1996 a Philippine navy gunboat exchanged gunfire with three Chinese vessels; in 1997, Chinese civilian boats were ordered by the Philippine navy to leave the Scarborough Islands, while the Chinese government sent three warships to survey Philippine-occupied islands; in 1998, the Philippines arrested fishermen near Scarborough Shoal; and in 1999, a Philippine gunboat attacked three Chinese fishing boats, sinking one. In 2000, the Philippines killed one Chinese fisherman and detained seven off the coast of the non-contested Filipino island of Palawan.³⁴ While the Philippines accused China of unloading construction materials and firing upon Filipino fishermen in the Philippines-claimed Amy Douglas Reef in 2011, under the presidency of Gloria Macapagal-Arroyo the skirmishes subsided.³⁵ However, a major incident in 2012 reignited the conflict.



A Philippine Coast Guard boat dwarfed by its Chinese counterpart.³⁶

³³ Tongfi Kim, "Sino-Philippine Disputes and the US-Philippines Alliance," *US Alliance Obligations in the Disputes in the East and South China Seas: Issues of Applicability and Interpretations* (Peace Research Institute Frankfurt, 2016), accessed from <http://www.jstor.org/stable/resrep14540.5>, 15.

³⁴ T. Kim, 15.

³⁵ Jihyun Kim, "Territorial Disputes in the South China Sea: Implications for Security in Asia and Beyond," *Strategic Studies Quarterly* 9, no. 2 (2015): accessed from <http://www.jstor.org/stable/26271078>, 119.

³⁶ Ted Ajibe, *A Chinese Coast Guard ship cuts across the path of Philippine Coast Guard vessel BRP Malapascua at Ayungin Shoal on April 23, 2023*, 2023, <https://www.gmanetwork.com/news/topstories/nation/892005/rift-deepens-between-philippines-china-over-west-philippine-sea/story/>.

In April, Philippine authorities attempted to arrest Chinese fishermen near Scarborough Shoal. To prevent the arrests, China sent vessels to intimidate the Philippines. After a month, the conflict was still unresolved, prompting the United States to step in and informally broker a deal between the two nations which called for the removal of both forces. While initially both forces withdrew, China eventually reneged on the deal, and by the end of June Chinese vessels had returned to the Shoal, insisting that no agreement had been reached. After a statement to address the issue was ignored by the pro-China host country of Cambodia during the 2012 ASEAN ministerial meeting, the Philippines filed a case with the Permanent Court of Arbitration in the Hague.

China refused to participate in the 2013 suit. However, due to their 2006 ratification of the United Nations Convention on the Law of the Sea, they were bound to the 2016 decision of the tribunal, which found that China did not have the right to claim Philippine territory in the South China Sea. The ruling was so decisive that there was concern about how Chinese officials would react; this disquiet proved to be warranted, since, as expected, the Chinese government rejected it, releasing a scathing 93-point rebuke.³⁷

Although formally neutral towards the territorial disputes in the South China Sea, the United States has made its true position clear through military action and public criticism. The country's favoring of the Philippines has only become increasingly apparent following the 2012 Scarborough Shoal conflict, with the U.S. signing the Enhanced Defense Cooperation Agreement with the Philippines in 2014, enabling some U.S. military forces to be deployed in the Philippines. The Southeast Asia Maritime Security Initiative was unveiled one year later, allowing for the provision of training and equipment by the United States to Southeast Asian countries including the Philippines.³⁸ Despite its hesitance to fully commit to defense of the Philippines, these two initiatives are recent additions to a repertoire of actions that allow for more American military presence in the Philippines, and, as some critics state, American imperialism.

³⁷ Shelton Woods, "The Sino-Philippine South China Sea Dispute," *American Journal of Chinese Studies* 23 (2016): 159, accessed from <http://www.jstor.org/stable/44289146>.

³⁸ T. Kim, 19.

The Philippines' Liberation from Spain and the Philippine-American War



A painting depicting the Spanish *Reina Cristina* cruiser amidst Commodore George Dewey's squadron.³⁹

In order to understand why America is intervening on the Philippines' behalf, we must first examine their historical relationship. The United States' defeat of Spanish troops in Manila on May 1, 1898 signified the end of three hundred and thirty three years of brutal colonial Spanish rule. Enlisting the help of Filipino troops, Commodore George Dewey led the American Asiatic Squadron to victory against Spain in the Battle of Manila Bay. Facing antiquated and poorly maintained flotillas, triumph was inevitable and decisive, but although it was a joint effort, Filipinos were barred from participating in Spain's surrender ceremonies.⁴⁰

Prior to this battle, revolt against Spain had already taken root in the Philippines; Dewey had pledged American support to this struggle through a cable to Emilio Aguinaldo, the Philippines' military leader. This apparent allegiance galvanized Filipino support of America throughout the Pacific theater of the Spanish-American War, buoyed by the hope that Spain's defeat would translate to a free Philippines. What the Philippines didn't know, however, was that after its defeat, Spain made a closed-door deal with the United States to transfer ownership of the Philippines to America. This agreement sealed the Philippines in yet another era of colonial rule, shattering all possibility of a fully liberated nation.⁴¹ Still hopeful, Aguinaldo declared Philippine independence in June, setting up a constitution and assembly and assuming the role of its first president. This Philippine government was largely ignored by the United States, and, despite fierce resistance by Philippine society, its annexation by the United States was enshrined in the

³⁹ W.G. Wood, *Battle of Manila Bay*, circa 1898, U.S. Naval Historical Center, https://commons.wikimedia.org/wiki/File:Battle_of_Manila_Bay_by_W._G._Wood.jpg. In the public domain.

⁴⁰ Kathleen Nadeau, *The History of the Philippines* (2020) accessed from search.ebscohost.com/login.aspx?direct=true&db=e000xna&AN=2395899&site=eds-live, 60.

⁴¹ Nadeau, 60.

December 1898 Paris Peace Treaty, allowing America to gain a strategic stepping stone to Chinese markets. Even though Aguinaldo was leading an elected government that controlled much of the archipelago by January, the United States continued to ignore the First Philippine Republic.⁴² Following the killing of three Philippine soldiers by two U.S. Army Privates, tensions boiled over into a full-blown war in February of 1899. After a few months, unable to compete in traditional warfare, Filipinos switched to guerilla tactics, experiencing more success.⁴³



Future U.S. President William Howard Taft pictured on a carabao.⁴⁴

The American colonial period began with a charm offensive. President William McKinley established two commissions collectively referred to as the Philippine Commission. The Schurman Commission was the first, tasked with assessing the political atmosphere of the Philippines.⁴⁵ Having surveyed the population through the Commission and finding that they resoundingly wanted independence, the United States had to work to placate the population that they asserted was not ready for sovereignty.⁴⁶ The government presented itself as a friend and ally to the Philippines, sweeping its betrayal under the rug. In 1900, the Taft Commission was dispatched with the aim of convincing their “little brown brothers” that colonial rule was a necessary step in the short road to full independence and democracy. The Commission was granted legislative and limited executive powers; as its leader, William Howard Taft also became the first civil governor of the Philippines.⁴⁷

In the summer of 1901, Taft inaugurated the Philippines’ first civil government,

⁴² Mark D. Van Ells, "Assuming the White Man's Burden: The Seizure of the Philippines, 1898-1902," *Philippine Studies* 43, no. 4 (1995): accessed from <http://www.jstor.org/stable/42634171>, 613.

⁴³ Van Ells, 617.

⁴⁴ "William Howard Taft Rides a Carabao," U.S. Army Military History Institute, 1901.

⁴⁵ Nadeau, 67.

⁴⁶ Nadeau, 68.

⁴⁷ Nadeau, 68.

transferring his executive powers and inviting three Filipinos – Dr. T. H. Pardo de Tavera, Benito Legarda, Sr., and Jose Luzuriaga – to sit on the Commission with him.⁴⁸ These three men had been Filipino revolutionaries in the past, but following the Philippines' annexation, they organized the Federalist Party, pushing for peaceful compromise with the United States. While the Philippine-American War would not officially end until 1902, by this period it had experienced a decline and the “Philippine insurrection” had effectively been broken, as Aguinaldo had been captured by American troops and was forced to end the First Philippine Republic earlier that year.⁴⁹

By the end of the Philippine-American War, more Filipinos had been killed by American forces than in the three hundred year rule of colonial Spain.⁵⁰ At least 16,000 Filipinos had been killed, and the United States had carried out torture on thousands of other civilians and combatants.⁵¹ A hearing before the United States Senate revealed that torture methods included the first instance of water torture by the U.S. military – water cure, a precursor to waterboarding.⁵² A cholera epidemic swept the country as it struggled to rebuild, exacerbated by civilian reconcentration camps in areas such as Batangas.⁵³ Another atrocity was the March across Samar. Following a surprise attack by Filipino guerillas that killed 54 American soldiers, the Battle of Balangiga occurred, resulting in what some have termed the “worst defeat of United States Army soldiers since the Battle of the Little Bighorn in 1876.”⁵⁴ As punishment, over an eleven-day period, General Jacob H. Smith and his men stopped the flow of food to the island of Samar, where Balangiga is, burned down 255 homes, shot 13 carabous, and directly killed 39 people; in the aftermath, around 2,000 Filipinos would be dead.⁵⁵ Soldiers were given orders to “kill everyone over ten years old [and make the island] a howling wilderness.”⁵⁶ General Smith was also quoted as saying, “I want no prisoners. I wish you to kill and burn, the more you kill and burn the better it will please me.”⁵⁷ Thus, following the War, Taft and his Commission ruled over a devastated island nation that had no interest in becoming a friend to the power that slaughtered its people. On July 4, 1902, the Philippine-American War was declared over by President Theodore Roosevelt, although insurgency, particularly in the Muslim south, still

⁴⁸ Nadeau, 69.

⁴⁹ Van Ells, 619.

⁵⁰ Nadeau, 69.

⁵¹ John D. Buenker and Edward Kantowicz, *Historical Dictionary of the Progressive Era, 1890-1920* (Greenwood, 1988), 332.

⁵² United States Senate, Committee on the Philippines, *Affairs in the Philippine Islands: Hearings before the Committee on the Philippines of the United States Senate, January 31-June 28, 1902*, Washington: Government Printing Office, 1970.

⁵³ United States Department of State, Office of the Historian, Foreign Service Institute, "War With Spain and Filipino Resistance," <https://history.state.gov/milestones/1899-1913/war#:~:text=The%20war%20was%20brutal%20on,who%20cooperated%20with%20American%20forces.>

⁵⁴ Battle of Balangiga," U.S. Marine Corps History Division, https://www.usmcmuseum.com/uploads/6/0/3/6/60364049/1_battle_of_balangiga.pdf.

⁵⁵ Victor Nebrida, "The Balangiga Massacre: Getting Even," Philippine History Group of Los Angeles, 1997, <https://web.archive.org/web/20080113054801/http://www.bibingka.com/phg/balangiga/>.

⁵⁶ Stuart Creighton Miller, *“Benevolent Assimilation”: The American Conquest of the Philippines, 1899-1903* (New Haven: Yale University Press, 1982), 220.

⁵⁷ Miller, 220.

remained.⁵⁸

The American Colonial Period

Following the end of the Philippine-American War, it became apparent that, without more Filipinos in power, another revolt against American rule was imminent. Thus, the United States implemented new laws, extending the Bill of Rights to Filipinos (but excluding the right to a trial by jury), establishing an elective Philippine assembly, which would serve as the lower house to the upper house of the retained Philippine Commission, and the protection of natural resources for Filipinos.⁵⁹ Elections for the Philippine Assembly were first held in 1907, although disenfranchisement was widespread, as voting requirements included English or Spanish capabilities, ownership of property valued at more than 500 pesos, and status as a male over the age of 21. Still, 94% of those registered to vote did, the high turnout reflecting eagerness to finally participate in their country's government.⁶⁰ The Nacionalista Party quickly rose to prominence, turning the Philippines into a one-party state headed by the elite. However, although its main platform was immediate independence, after their elections members often curbed these calls and were highly accommodating to the American government.

American policy shifted towards Filipino independence in 1913 following the election of Democratic president Woodrow Wilson. Francis B. Harrison, then-governor-general of the Philippines, started a campaign of "Filipinization," in which more Filipinos were given seats in the Philippine Commission.⁶¹ Three years later he implemented the Jones Law, which, among other things, provided a constitution and stated that the United States would recognize Philippine independence as soon as it elected a stable government. Trusting Harrison, many Filipinos felt that this signaled the beginning of the end of American colonial rule; their hopes, however, were dashed after Republicans resumed power in the States. Once again, a task force was sent to the Philippines to examine its readiness for independence; however, in 1921 the Wood-Forbes Mission reported back to Washington that the Philippines was not prepared.⁶² The number of Filipinos in government was then greatly reduced, and this roll-back resulted in the degradation of Philippine favor and trust in the American government. Independence movements grew in strength, sending representatives to Washington D.C. to lobby for freedom. Gaining allies among American citizenry, calls for liberation became too loud to ignore. This resulted in the Tydings-McDuffie Act of 1934 which granted the Philippines commonwealth status.

⁵⁸ Nadeau, 73.

⁵⁹ Nadeau, 73.

⁶⁰ Nadeau, 73.

⁶¹ Nadeau, 74.

⁶² Nadeau, 74.



The Presidential Portrait of Manuel Quezon, first President of the entire Philippines.⁶³

While the Act did not bestow immediate independence upon the Philippines, it did allow for its recognition as an independent self-governing country and promised full sovereignty after a period of ten years. In 1935, the Philippines held its first presidential and vice presidential elections with Manuel L. Quezon and Sergio Osmeña emerging victorious.⁶⁴ Over the next six years, the United States began stepping back and allowing for more Filipino self-governance. This changed, however, on December 23, 1941.

Hours before bombing Pearl Harbor, the Imperial Japanese Army launched air and land raids upon U.S.-Philippine military installations on the Islands. Japan quickly overwhelmed Filipino forces. While troops continued their defensive under American General Douglas MacArthur, they eventually surrendered in Bataan in April 1942, leading to the devastating Bataan Death March where more than 9,000 Filipino and 1,000 American POWs died. President Quezon and Vice President Osmeña were evacuated to the United States, where they established a Philippine government in exile, while MacArthur was relocated to Australia.⁶⁵ Filipino resistance to Japanese occupation often came in the form of guerilla warfare, but this was not enough to defeat Japan. Japan gained control of the Philippines' natural resources, appropriated its wealth, and violently suppressed Filipino uprisings, resulting in the Philippines becoming the bloodiest theater of World War II for Japan.⁶⁶ In 1945, after a year of combat between Japanese and combined U.S.-Philippine forces, the Philippines was liberated from Japanese occupation,

⁶³ "Quezon Official Portrait," Wikimedia Commons, 2018,

https://commons.wikimedia.org/wiki/File:PRESIDENT_MANUEL_L._QUEZON%E2%80%99S_SPEECH_TRANSFORMED_INTO_HYPER_TEXT.jpg. Distributed under a CC BY-SA 4.0 license.

⁶⁴ Nadeau, 76.

⁶⁵ Harlan R. Crippen, "American Imperialism and Philippine Independence," *Science & Society* 11, no. 2 (1947): 97–126, accessed from <http://www.jstor.org/stable/40399822>, 101.

⁶⁶ Crippen, 104.

and Japan formally surrendered.⁶⁷ A year later, the Philippines finally gained full independence from the United States. The date of the proclamation, however, was specifically scheduled for July 4, a cruel joke symbolizing the lasting impact of American colonialism on the country.⁶⁸

The Mutual Defense Treaty and the Philippines-United States Visiting Forces Agreement

Autonomy does not always equal independence. Following the widespread destruction of World War II, the United States struck two deals with the Philippines in 1946, the Philippine Rehabilitation Act and the Philippine Trade Act. Committing US\$620 million to the reconstruction and rehabilitation of the Philippines, the Acts demanded some *quid pro quos* in return, namely equal rights and protections to American citizens and corporations in the Philippines, an eight-year free trade agreement, and “the right to retain” American colonial-era military bases in the Philippines. American military rights within the Philippines were expanded with the 1947 Military Bases Agreement, granting a 99-year lease on multiple Philippine military bases to the United States, giving them virtual territorial rights.⁶⁹ While the lease was eventually renegotiated to 25 years, it was renewed in 1979.



An aerial view of the U.S. Naval Base Subic Bay, once the largest overseas installation of the United States.⁷⁰

The Military Bases Agreement is only one of many significant military agreements

⁶⁷ Robinson, 9.

⁶⁸ Landé, 519.

⁶⁹ Alejandro M. Fernandez, “The Philippines and the United States Today,” *Southeast Asian Affairs* (1976): 269, accessed from <http://www.jstor.org/stable/27908285>.

⁷⁰ United States Navy, *Aerial view of Naval Base Subic Bay*, 1981, <http://www.dodmedia.osd.mil/Assets/Still/1982/Navy/DN-ST-82-01682.JPEG>.

between the two nations. Signed on August 30, 1951, the Mutual Defense Treaty was signed by the Philippines and the United States, “[declaring] publicly and formally their sense of unity and common determination to defend themselves against external armed attack.”⁷¹ Consisting of eight articles, the Treaty does not elucidate the specifics of this agreement, but, rather, refers to ambiguous required mutual aid in the event of an armed attack against either party in the Pacific.⁷² The Treaty typified United States aid to the Philippines following its independence, exemplifying the close relationship still held between the two nations. Despite Washington’s assertion that the Mutual Defense Treaty does not apply in the event of an attack on Philippine troops stationed on the hotly contested Spratly Islands, several U.S. officials including former Secretary of State Henry Kissinger have emphasized that they do not want to do anything that “could encourage the PRC to believe it has a free hand to take military action” on the Islands, revealing a disconnect between official and non-official spoken policies.⁷³

Following the presidency and eventual dictatorship of Ferdinand Marcos, Sr., the Philippine government has been unable or even unwilling to expand their external military capabilities.⁷⁴ For a period of time, this resistance to expansion included distancing the Filipino and American militaries. In 1991, the Philippine Senate narrowly voted no to the renewal of the Mutual Defense Treaty; by 1992, all U.S. military bases in the Philippines were shuttered, ushering in a period of time in which the relationship between the U.S. and the Philippines diminished.⁷⁵ This decision was hailed by some as liberation from the legacy of American imperialism that had plagued the Philippines throughout the century, while others felt that this left the Philippines significantly more vulnerable to external attacks.



Soldiers replacing the American flag that once flew over Subic Bay with a Filipino one.⁷⁶

⁷¹ Mutual Defense Treaty Between the United States of America and the Republic of the Philippines, August 30, 1951, 3 UST 3947.

⁷² Mutual Defense Treaty Between the United States of America and the Republic of the Philippines, Article IV.

⁷³ T. Kim, 18.

⁷⁴ Richard D. Fisher, “Defending the Philippines: Military Modernization and the Challenges Ahead” (Center for a New American Security, 2012), 1, accessed from <http://www.jstor.org/stable/resrep06148>.

⁷⁵ Linda Robinson, Patrick B. Johnston, and Gillian S. Oak, “U.S.-Philippine Relations in Historical Perspective,” in *U.S. Special Operations Forces in the Philippines, 2001–2014*, 9–16 (RAND Corporation, 2016), 10, <http://www.jstor.org/stable/10.7249/j.ctt1cd0md9.9>.

⁷⁶ United States Navy, *US Flag lowered and Philippine flag raised during turnover of NS Subic Bay*, November 24, 1992, <https://catalog.archives.gov/id/6486247>.

Critics' fears seemed to be confirmed with the 1995 Sino-Philippine conflict in Mischief Reef. Prior to the abrogation of the Mutual Defense Treaty, these waters were patrolled by American troops; the removal of these troops effectively allowed unfettered access to the Philippines' claimed territory in the South China Sea. After three years of negotiations, the Philippines and the U.S. entered into the Philippines-United States Visiting Forces Agreement, allowing for the deployment of American soldiers for military exercises and unlimited access to twenty-two ports throughout the Philippines.⁷⁷ In Section V, the Agreement also grants procedural safeguards and virtual immunity to United States military personnel in the Philippines, with jurisdiction over them retained by America.⁷⁸ This portion of the Agreement has always been the subject of criticism and controversy, as it means that the United States can refuse to arrest, detain, or otherwise prosecute personnel accused of committing crimes in the Philippines (in comparison, Philippine soldiers accused of crimes in the United States are required to be detained in an American jail).⁷⁹ The first case studies in this thesis will explore more of the implications and consequences of these specific caveats.

The Enhanced Defense Cooperation Agreement and the Future of U.S. Involvement

Security cooperation between Manila and Washington, D.C. returned to a close relationship during the presidency of Benigno Aquino III following American President Barack Obama's announcement of plans to allocate more resources to the region.⁸⁰ Known for his strong confrontational attitude towards China, President Aquino was more than happy to give American military troops increased access to the Islands. In 2014, the Enhanced Defense Cooperation Agreement was signed, building upon the existing body of U.S.-Philippine military cooperation. Allowing for the construction and operation of American and Philippine military facilities at Filipino bases, the Agreement also permits the rotation of American troops in the Philippines.

While Aquino was encouraging of American military involvement in the Philippines, his successor, President Rodrigo Duterte, was a staunch critic of the United States and a self-reported "friend" of Chinese President Xi Jinping and other Chinese officials.⁸¹ Feeling antagonized by Washington's decries of his brutal War on Drugs campaign, Duterte sought to rid the Philippines of American influence and strip it of its power within the country. In February of 2020, Duterte attempted to abrogate the Mutual Defense Treaty; while he reneged following a meeting with U.S. Defense Secretary Lloyd Austin III, his effort to recall the Treaty signifies the

⁷⁷ Maria Ortuoste, "THE PHILIPPINES IN THE SOUTH CHINA SEA: Out of Time, Out of Options?" *Southeast Asian Affairs* (2013): 240–53, 243, accessed from <http://www.jstor.org/stable/23471147>.

⁷⁸ Philippines-United States Visiting Forces Agreement (VFA), 1998, Section V, 10 UST 141.

⁷⁹ Anne E. Lacsamana, "Empire on Trial: The Subic Rape Case and the Struggle for Philippine Women's Liberation," *Work and Days* 57/58, no. 29 (2011): 204.

⁸⁰ Kojiro Tonosaki, "Security Policy of the Aquino Administration: 2010–2016," in *Aiming for a Quasi-Alliance: Building a More Robust Japan-Philippines Security Partnership*, Center for Strategic and International Studies (CSIS) (2022), 11, accessed from <http://www.jstor.org/stable/resrep42756.5>.

⁸¹ Renato Acosta, "Abrogating the Visiting Forces Agreement: Its Effects on Philippines' Security and Stability in Southeast Asia," *East-West Center* (2023), 1, accessed from <http://www.jstor.org/stable/resrep47259>.

shifting, volatile dynamic of modern day Philippine foreign policy.⁸²

Under the current Marcos administration, the tension bolstered by Duterte's actions seemed to have cooled. During a 2022 visit to the Philippines, American Vice President Kamala Harris explicitly reiterated the United States' support of the Philippines in the South China Sea conflict, also stating that "[a]n armed attack on the Philippines armed forces, public vessels, or aircraft in the South China Sea would invoke U.S. Mutual Defense commitments."⁸³ Finally, under the Enhanced Defense Cooperation Agreement, the United States and the Philippines announced plans to expand military sites in the Philippines, granting access to a total of nine bases to American troops and modernizing their infrastructures.⁸⁴ While this bodes well for proponents of stronger American involvement in the Philippines, for many Filipinos the question of necessity still remains, especially in the face of the threat of cultural imperialism.

⁸² Acosta, 1.

⁸³ Sebastian Strangio, "Kamala Harris Says US Commitment to Philippines 'Unwavering'," *The Diplomat* (2022), accessed from <https://thediplomat.com/2022/11/kamala-harris-says-us-commitment-to-philippines-unwavering/>.

⁸⁴ Department of Defense, "New EDCA Sites Named in the Philippines," April 3, 2023, accessed from <https://www.defense.gov/News/News-Stories/Article/Article/3350297/new-edca-sites-named-in-the-philippines/#:~:text=The%20four%20new%20sites%20are,who%20briefed%20the%20media%20today.>

Literature Review

The conversation of an American military presence in the Philippines often boils down to two main arguments: America as an imperialist power and America as a protector.

The first framework points to America's history of colonialism in the Philippines and the motivations behind it. In his article "Assuming the White Man's Burden: The Seizure of the Philippines, 1898-1902," Mark D. Van Ells asserts that, prior to its annexation, the Philippines was mostly unknown to the citizens of its eventual ruler.⁸⁵ The top American "expert" on the archipelago was a zoologist who, after performing field research in the Islands, painted a racist and unflattering portrait of its people. "Honesty among the Filipinos," he wrote, "is a theme for the humorist."⁸⁶ During the Philippine-American War, troops reported that Filipinos were "childlike" and "lazy," often using racial slurs for other non-white people to describe them.⁸⁷ Even Theodore Roosevelt dismissed the Islands as a "jumble of savage tribes."⁸⁸ Human zoos in the United States also exhibited enslaved indigenous Filipinos, parading them as exotic barbarians with dark skin, playing on racist stereotypes of Black people.

Noted by Kenton J. Clymer in his article "Humanitarian Imperialism: David Prescott Barrows and the White Man's Burden in the Philippines," this portrayal was wholly inaccurate, as "[e]ven the 9 or 10 percent of the islanders who were not [considered to be] civilized exhibited traits associated with civilization" such as a robust written language and specialized labor roles.⁸⁹ Despite this, the myth of Filipinos as inferior savages persisted, with most Americans viewing them as either curious creatures or natives in need of enlightenment. In *The History of the Philippines*, Kathleen Nadeau continues to trace these threads of paternalism and

⁸⁵ Mark D. Van Ells, "Assuming the White Man's Burden: The Seizure of the Philippines, 1898-1902," *Philippine Studies* 43, no. 4 (1995): 607-622, 611, accessed from <http://www.jstor.org/stable/42634171>.

⁸⁶ Van Ells, 611.

⁸⁷ Van Ells, 612.

⁸⁸ Van Ells, 612.

⁸⁹ Kenton J. Clymer, *Humanitarian Imperialism: David Prescott Barrows and the White Man's Burden in the Philippines*, *Pacific Historical Review* 45, no. 4 (1976): 495-517, 502.

white supremacy through the American colonial period of the Philippines.



A political cartoon depicting the Philippines as a child guided by President McKinley.⁹⁰

Critical of the United States' betrayal of the Philippines and its suppression of resistance, Nadeau notes the inconsistencies in America's public attitudes and more private actions towards the Philippines in the twentieth century. She argues that the same Spanish policies and practices criticized by Washington as "barbaric and uncivilized" were adopted by the United States as they "tortured civilians, massacred local populations, and burned down towns, among other atrocities."⁹¹ This contrasted with American propaganda that often casted the American government as a benevolent ruler of the Philippines, working to rebuild the nation hand-in-hand. Nadeau does not deny the fact that America economically and, perhaps, politically assisted the Philippines following the damage sustained during its liberation from Spain and attempted revolt against the United States. However, Nadeau takes care to point out that this "aid" carried with it the distinct flavor of white supremacy and paternalism. For example, while America did set up the first public school system in the Philippines, Nadeau notes that English was mandated as the language of instruction and Filipino students were "made to feel inferior to the "white" Americans."⁹²

By citing historical accounts, these authors highlight the multi-pronged nature of American imperialism in the Philippines. Bringing forth the interplay of racial biases, cultural dominance, paternalistic attitudes, and the use of force to assert control and influence over the

⁹⁰ Minneapolis Tribune, *McKinley Philippines Cartoon*, 1898, Wikimedia.

⁹¹ Kathleen Nadeau, *The History of the Philippines* (2020), accessed from <https://login.avoserv2.library.fordham.edu/login?url=https://search.ebscohost.com/login.aspx?direct=true&db=e000xna&AN=2395899&site=eds-live>, 71.

⁹² Nadeau, 70.

oppressed population, Van Ells, Clymer, and Nadeau provide historical precedence for the assertion that the United States exerts imperialist power over the Philippines. In addition, their works form the basis for the current day argument that American intervention in the South China Sea should not be encouraged, as it would allow for America to reassert its imperialist control on the Islands.

The second framework argues that the Philippines is in dire need of external protection and assistance, unable to adequately defend itself without the help of other nations' forces. As of July 2023, active personnel of the Philippine military numbered 150,000 while reserve personnel clocked in at around 1.2 million.⁹³ In contrast, China boasts around 2 million people enlisted as active personnel and around half a million as reserves.⁹⁴ The Philippines is not just outranked by sheer numbers by China but also outmatched by its overall firepower, with the People's Liberation Army consistently recognized as one of the most powerful militaries in the world. Further, the firepower that the Philippines *does* have is complicated by its dependence on other countries for it.

In the report "Abrogating the Visiting Forces Agreement: Its Effects on Philippines' Security and Stability in Southeast Asia," Renato Acosta highlights the importance of the Visiting Forces Agreement in securing modern weaponry, infrastructure, and training for the Armed Forces of the Philippines. Between 2016 and 2021, the United States provided the Philippines with an average of around US\$43 million annually in military financing and defense equipment.⁹⁵ These payments took place even under the often combative Rodrigo Duterte's presidency, demonstrating that, despite his public criticisms of the United States, completely severing his country from America and thus its financial aid was considered a harmful course of action.



A photo of Philippine and American forces participating in Exercise Balikatan, the most prominent annual joint

⁹³ Emmanuel Tupas and Alexis Romero, "Marcos Appoints Brawner AFP Chief," Philstar, July 20, 2023, accessed from <https://www.philstar.com/headlines/2023/07/20/2282292/marcos-appoints-brawner-afp-chief>.

⁹⁴ The International Institute for Strategic Studies, *The Military Balance 2022* (Routledge, 2022).

⁹⁵ Acosta, 2.

exercise between the two militaries.⁹⁶

In regards to imperialism, Acosta points to Beijing as the hegemonic force, positing America as the main protector of Philippine sovereignty. In Richard D. Fisher's 2012 report "Defending the Philippines: Military Modernization and the Challenges Ahead," the state of the Armed Forces of the Philippines is summed up in a joke: "[o]ur Air Force is all air and our Coast Guard is all coast."⁹⁷ While praising steps taken by President Benigno Aquino III to modernize the Philippine military, Fisher emphasizes how much of a boon the continued alliance (and reliance) on the United States is for the Philippines.

In addition to stronger external defense capabilities, Fisher asserts that the Philippines also relies on Washington to help counter insurgencies "spawned by [the Philippines'] weak political system and economic malaise."⁹⁸ While the Philippines is a democracy in name, renowned non-profit Freedom House terms it only "partly free," with its 2023 report giving the Philippines a 58/100 score.⁹⁹ As Freedom House notes, the political landscape of the Philippines is overrun by wealthy, established political elites, the current Marcos-Duterte administration a prime example of Philippine plutocracy. Corruption is "endemic," and there are "highly organized disinformation campaigns" and widespread bribery and vote buying.¹⁰⁰ Further, the country is plagued by a storied history of politically and religiously-motivated terrorism, while extrajudicial killings, encouraged by the previous Duterte administration, still remain rampant.¹⁰¹ Just as China's hands were tied during their "Century of Humiliation," the Philippines finds itself torn between handling internal conflicts and protecting itself from external ones. However, there may not be neither enough time nor resources for it to drum up the same amount of nationalistic fervor that resulted from China's collective shame, as the Philippines is also hemorrhaging workers, students, and other young people at an alarming rate. As of 2016, around 10 million Filipinos lived overseas, compared to the Philippines' population of around 100 million.¹⁰² With about 10% of its population leaving the country to work as Overseas Filipino Workers (OFWs), the maintenance of a cohesive Filipino identity that can stretch beyond the country's borders becomes even more unattainable.

⁹⁶ John Etheridge, *Balikatan 2019 Combined Arms Live-Fire Exercise*, April 9, 2019, https://commons.wikimedia.org/wiki/File:Balikatan_2019_Combined_Arms_Live-Fire_Exercise_Image_9_of_9.jpg. In the public domain.

⁹⁷ Fisher, 1.

⁹⁸ Fisher, 1.

⁹⁹ Freedom House, "Philippines," *Freedom in the World 2023*, <https://freedomhouse.org/country/philippines/freedom-world/2023>.

¹⁰⁰ Freedom House, "Philippines."

¹⁰¹ Freedom House, "Philippines."

¹⁰² Yalitza DeJesus, "Philippines' Brain Drain: By the Numbers," posted 2016, *The Wall Street Journal*, 1:12, <https://www.wsj.com/video/philippines-brain-drain-by-the-numbers/37BF1FEE-AEA4-499E-9FF8-4D4923DCD02B>

Methodology

In his major work *Culture and Imperialism*, Edward Said, one of the founders of postcolonial studies, defined imperialism as “the practice, the theory, and the attitudes of a dominating metropolitan centre ruling a distant territory.”¹⁰³ While colonialism and imperialism are often intertwined, they remain two distinct concepts. Imperialist attitudes drive colonization, during which countries, states, or territories come under the control of a stronger power.¹⁰⁴ While the American colonial period in the Philippines ended in 1946, it continued to exercise imperialist influence on the country. It is impossible to analyze the Philippines and escape encountering the lasting effects of American colonization. Due to its nearly 50-year rule and continued exertion on the Philippines, American history and culture seem to seep into every aspect of Philippine life. From language, to cuisine, to politics, it is clear that America still continues to carry out imperialism against the Philippines.

One of the major ways in which American imperialism can be observed in the Philippines is through its repeated military presence in the country. Stretching from the Philippines’ liberation from Spain to the present day, the history of American troops on the Islands continues to garner mixed reactions, with some deeming it altruistic while others decrying it as exploitative. Following the announcement of the construction of new U.S. military facilities at bases in the Philippines, questions on the pros and cons of this agreement have risen to prominence in modern Philippine life. Two case studies will be presented to provide answers to these questions.

I chose these case studies due to their status as direct results of American imperialism in the Philippines. These case studies serve as two warning signs for further U.S. involvement in the Philippines. The first, involving leniency in sexual assault cases brought against American military personnel, is a direct consequence of the Philippines-United States Visiting Forces Agreement, while the second delves into Filipino brain drain and how it is encouraged and exacerbated by holdovers and lasting effects of the American colonial period. The case studies will be examined through the lens of American imperialism and based on a combination of sources, including scholarly articles, books, government documents, and modern news articles, which were chosen for their thoroughness in explaining the causes of these phenomena.

Limitations of this research must be acknowledged. It is critical to stress that these case studies only provide bases for speculation of the eventual consequences of further U.S. military involvement in the Philippines. As the situation is still unfolding, it is impossible to accurately predict how the Philippines will be impacted by the construction and usage of military bases by American troops. Due to their publications prior to the announcement of the construction of these new bases, the sources chosen may not totally reflect current attitudes. Also important is the recognition that the cases in the first section are exceptional and not reflective of the American military as a whole.

¹⁰³ Edward Said, *Culture and Imperialism* (London: Chatto and Windus, 1993), 8.

¹⁰⁴ Said, 8.

Case Studies

Sexual Assault Perpetrated by U.S. Military Personnel in the Philippines: Case Study #1

The Murder of Jennifer Laude

On October 11, 2014, the body of Jennifer Laude was found in the Central Luzon city of Olongapo. Laude's neck was covered in strangulation marks, and her head submerged in a toilet bowl.¹⁰⁵ The suspect in the murder of the 26-year-old was Lance Corporal Joseph Scott Pemberton, a young Marine who was in the Philippines for joint military exercises. After meeting at a nightclub, Laude and Pemberton left for a motel; there, upon learning that Laude was transgender, Pemberton murdered her.¹⁰⁶ Although Pemberton confessed to the murder almost immediately after it transpired, he left the Philippines a free man, eventually gaining a full pardon.



Students burning a mock U.S. flag in protest against the VFA after Jennifer Laude's murder.¹⁰⁷

Pemberton was stationed at the nearby Subic Bay Freeport. The freeport, which provides support to troops, was formerly home to America's largest overseas U.S. Navy base, the Subic Bay Naval Base, which was decommissioned in 1992. In 2012 the Philippine government

¹⁰⁵ Robert Diaz, "The Limits of Bakla and Gay: Feminist Readings of My Husband's Lover, Vice Ganda, and Charice Pempengco," *Signs* 40, no. 3 (2015): 721–45, <https://doi.org/10.1086/679526>, 724.

¹⁰⁶ Corinne Redfern, "Philippines Marine's Pardon," *The New York Times*, September 17, 2020, accessed from <https://www.nytimes.com/2020/09/17/magazine/philippines-marine-pardon-duterte.html>.

¹⁰⁷ J. Gerard Seguia, "Filipino Students Burn a Mock U.S. Flag," 2016, Getty Images, <https://www.gettyimages.com/detail/news-photo/students-burn-a-mock-u-s-flag-as-they-call-on-the-president-news-photo/613974684>.

granted the United States access to the Freeport for regular military exercises under the Visiting Forces Agreement and it is poised to reopen under the Enhanced Defense Cooperation Agreement.¹⁰⁸

Following fingerprint analysis of condoms found in the room where Laude was killed, Pemberton was detained and placed under U.S. guard at Camp Aguinaldo, the headquarters of the Philippine military.¹⁰⁹ Laude's sister, Marilou Lande, filed a motion for custody of Pemberton to be surrendered to the Olongapo City Jail and allow for media coverage on the crime, but her motion was rejected on procedural grounds.¹¹⁰ She then brought the case to the Philippine Supreme Court, but again her petition was denied, ensuring that Pemberton stayed in the hands of the United States.¹¹¹

In accordance with the Visiting Forces Agreement, at Camp Aguinaldo Pemberton was questioned by the United States Naval Criminal Investigative Service instead of Philippine police.¹¹² After his questioning, Pemberton was arrested and charged with Laude's murder on December 15, 2014.¹¹³ However, the Marine Corps immediately hired legal representation for Pemberton and paid for all of his legal fees which, by the end of his trial, had amounted to more than US\$550,000.¹¹⁴

Pemberton's arraignment occurred in February of 2015. Refusing to plead himself, Pemberton was automatically given a not guilty plea.¹¹⁵ His trial began on March 23, 2015; however, due to restrictions on media within the courtroom, little information escaped. In August, Pemberton admitted to killing Laude, but attempted to justify himself by employing a trans panic defense.¹¹⁶ News of this angered left-wing Filipinos, inflaming protests that broke out once Laude's identity was revealed.¹¹⁷ Finally, in December a 68-page decision was released by the court, finding Pemberton "guilty beyond reasonable doubt" of the homicide of Laude. Pemberton was sentenced to six to twelve years in prison. While the court charged Pemberton with the killing of Laude, many criticized this decision, as a heavier punishment comes with a murder conviction. Still, the court argued that this case did not have the legal elements to allow it to be considered murder rather than homicide.¹¹⁸

Pemberton was then transferred to the largest detention facility in the Philippines, New

¹⁰⁸ Diaz, 724.

¹⁰⁹ Jay L. Batongbacal, "Philippines," in *Asian Yearbook of International Law: Volume 21 (2015)*, edited by Seokwoo Lee, Hee Eun Lee, and Lowell Bautista, 21:299–305, accessed from <http://www.jstor.org/stable/10.1163/j.ctvbqs7d3.22>, 301.

¹¹⁰ Batongbacal, 301.

¹¹¹ Batongbacal, 301.

¹¹² Redfern, "Philippines Marine's Pardon."

¹¹³ Batongbacal, 300.

¹¹⁴ Redfern, "Philippines Marine's Pardon."

¹¹⁵ Michelle Abad, "TIMELINE: Jennifer Laude Killing, Joseph Scott Pemberton Release," *Rappler*, September 9, 2020, accessed from <https://www.rappler.com/newsbreak/iq/timeline-jennifer-laude-killing-joseph-scott-pemberton>.

¹¹⁶ Michelle Abad, "TIMELINE: Jennifer Laude Killing, Joseph Scott Pemberton Release."

¹¹⁷ Diaz, 724.

¹¹⁸ Michelle Abad, "TIMELINE: Jennifer Laude Killing, Joseph Scott Pemberton Release."

Bilibid Prison. Just hours later, however, his detention order was revised to comply with the Visiting Forces Agreement. Transported from a cramped cell surrounded by more than 26,000 other inmates, Pemberton ended his night in a private, air-conditioned cell in Camp Aguinaldo.¹¹⁹ With his rank still unchanged, Pemberton was still entitled to receive pay, receiving his monthly salary of about US\$2,300 throughout his legal proceedings.¹²⁰



A member of Bayan Muna (“Nation First”), a leftist coalition, holds a sign that translates to “Lock up Pemberton in Bilibid!”¹²¹

In January of 2016, Pemberton’s defense filed an appeal. In March, Pemberton’s sentence was reduced from a maximum of 12 years to a maximum of 10 years, the Court of Appeals upholding this decision five months later. The lessening of his sentence was due to his charge being downgraded from murder to homicide, as the element of “treachery” had not been proven.¹²² However, Pemberton only withdrew his appeal three years later in June of 2020, then fully accepting the rest of his sentence.¹²³ At this point, he had received more than US\$160,000 in pay from the U.S. military.¹²⁴

¹¹⁹ Redfern, “Philippines Marine’s Pardon.”

¹²⁰ Redfern, “Philippines Marine’s Pardon.”

¹²¹ Richard James Mendoza, “A Filipino protestor holds a placard...,” 2015, <https://www.gettyimages.com/detail/news-photo/filipino-protester-holds-a-placard-calling-for-joseph-scott-news-photo/500866724>.

¹²² Julie McCarthy, “Philippines Pardons U.S. Marine in Killing of Transgender Woman,” NPR, September 7, 2020, <https://www.npr.org/2020/09/07/910512970/philippines-pardons-u-s-marine-in-killing-of-transgender-woman>.

¹²³ Michelle Abad, “TIMELINE: Jennifer Laude Killing, Joseph Scott Pemberton Release.”

¹²⁴ Redfern, “Philippines Marine’s Pardon.”

Just two months after Pemberton withdrew his appeal, a Philippine court began hearing a motion by Pemberton for early release based on the Filipino Good Conduct Time Allowance bill of 2019.¹²⁵ In 2020, Pemberton received an absolute pardon from Philippine President Rodrigo Duterte, who stated that Pemberton “should be allowed the good character presumption” due to his behavior behind bars. “If there is a time to be fair, be fair,” he added.¹²⁶ This move was largely seen as Duterte’s attempt to restore diplomatic ties that he had severed when he ended the VFA (which was then reinstated), but many, including Duterte’s own presidential spokesman Harry Roque, criticized the move as showing that “Americans continue to have the status of conquering colonials in our country.”¹²⁷

Despite the crime involving a Philippine citizen and transpiring in the Philippines, Laude’s murder was never under the jurisdiction of her home country. Because of the Visiting Forces Agreement, her killer was awarded an attorney and never paid a dime throughout the legal process. Jennifer’s murder happened three different times, physically, legally, and politically, and each time she was failed and no justice was served. Due to pressures put upon the Philippines by the United States, her case never stood a chance in a court of law, as the repercussions of giving Pemberton a just punishment were deemed too dangerous to the diplomatic relationship between the two.

The Subic Rape Case

Ten minutes away from the Subic Bay Freeport is an unassuming bar now called Wynns. Operating as the Neptune Bar in the 2000s, “Nicole” and her stepsister Anna Liza were invited there for drinks by U.S. Navy Petty Officer Christopher Mills on November 1, 2005. Hours later, “Nicole” would be found half-naked, her jeans inside out, extremely drunk and inconsolable, a condom sticking out of her underwear.¹²⁸ She stated that she had been dumped from a van where she had been gang-raped by four U.S. Marines. A few days later, she would clarify that she had been raped by one, identified as Lance Corporal Daniel Smith, while his three friends, Lance Corporals Dominic Duplantis and Keith Silkwood and Staff Sergeant Chad Carpentier, watched and cheered Smith on.¹²⁹

¹²⁵ Michelle Abad, "TIMELINE: Jennifer Laude Killing, Joseph Scott Pemberton Release."

¹²⁶ Julie McCarthy, "Philippines Pardons U.S. Marine in Killing of Transgender Woman."

¹²⁷ Julie McCarthy, "Philippines Pardons U.S. Marine in Killing of Transgender Woman."

¹²⁸ Lacsamana, 205.

¹²⁹ Lacsamana, 206.



A woman protests in front of a protest vigil set up for “Nicole.”¹³⁰

Mills’ three friends would eventually be acquitted due to lack of evidence. Mills, however, was convicted after DNA evidence proved that he had raped the severely intoxicated “Nicole.”¹³¹ Escorted directly to Makati City Jail, where he was to serve his forty year sentence, Mills’ lawyers appealed for him to instead remain in U.S. custody. The United States then threatened to cancel all future joint military exercises if Filipino authorities did not transfer Mills to the U.S. Embassy.¹³² This cancellation would have had a devastating effect on the Filipino military, which heavily relies on foreign (mainly American) support, training, and funding; thus, Philippine authorities scrambled to find ways to maneuver around the requirement that Mills be held in a Filipino jail. After merely twenty five days of his 14,600 day long sentence, Mills was transferred to the U.S. Embassy and joint exercises resumed as normal. In an attempt to assuage the outraged Filipino population, the U.S. Marines released an official statement promising “no more rape” during their time in the Philippines.¹³³

¹³⁰ Edwin Tuyay, “A candlelit vigil...,” 2006, Getty Images, <https://www.gettyimages.com/detail/news-photo/candlelit-vigil-for-the-22-year-old-filipina-woman-who-was-news-photo/94651758>.

¹³¹ Lacsamana, 203.

¹³² Lacsamana, 206.

¹³³ Tonette Orejas, “US marines promise no more rape in Luzon,” *Philippine Daily Inquirer*, October 21, 2007.



Protestors and police clash outside of the U.S. Embassy in Manila.¹³⁴

Mills was eventually transferred back to Philippine custody following a Philippine Supreme Court decision in February, 2009. While this should have been a victory for the Philippines and supporters of “Nicole,” it was spoiled when American authorities refused to hand Mills over.¹³⁵ While this blatant rejection strengthened cries within the Philippines to abrogate the VFA, on March 6, President Gloria Arroyo made a surprise phone call to President Barack Obama assuring him of her support for the VFA.¹³⁶

Two days later, another blow would be dealt to those who had hailed the case as a historic milestone in justice. On March 8, 2009, “Nicole’s” mother submitted an affidavit where her daughter expressed uncertainty about if she had consented or not to sex with Mills. During the media firestorm that ensued, “Nicole” fired her lawyer, accepted a settlement from Mills, and immigrated to the United States, where she is still presently living.¹³⁷ While some were quick to dismiss “Nicole” as a dishonest opportunist, others, such as her former lawyer, came to her defense. In a statement to the press, Evalyn Ursua stated that her former client’s family had “grown tired of the case” and that “Nicole” left since “there was no justice” in her home country.¹³⁸ Multiple activists and women’s rights groups were also quick to note that giving consent does not equal a consensual encounter when one party is extremely intoxicated.

¹³⁴ Jay Directo, “Riot Police block activists,” 2009, Getty Images, <https://www.gettyimages.com/detail/news-photo/riot-police-block-activists-protesting-outside-the-us-news-photo/84754069>.

¹³⁵ Lacsamana, 212.

¹³⁶ Lacsamana, 212.

¹³⁷ Lacsamana, 203.

¹³⁸ Rina Jimenez-David, “At Large: Confused about ‘Nicole,’” *Philippine Daily Inquirer*, March 20, 2009.



Activists with GABRIELA hold a sign accusing the U.S. of protecting rapists.¹³⁹

While these two cases may be the most high-profile sexual assault cases involving Filipina women and U.S. military personnel, they are far from the only ones. Cases from before the VFA show that this is an issue that is endemic. During the Marcos dictatorship, a U.S. soldier who was found responsible for organizing an underage prostitution ring in Olongapo was allowed to leave the country with no penalty, even after it was discovered that all twelve girls had been infected with numerous sexually transmitted diseases.¹⁴⁰ In 1987, Rosario Baluyot, one of 1.2 million street children living near the Subic Bay Port at the time, died after seven months of agonizing pain and infection due to a broken vibrator left inside her cervix by a U.S. soldier.¹⁴¹ While the soldier was tried in court and sentenced to life imprisonment for the rape and death of twelve-year-old Rosario, the charges were reversed on a technicality and he was allowed to walk free.¹⁴² Leniency has only become easier to obtain following the enactment of the VFA. In a 1998 press release, the GABRIELA Women's Party, a progressive Filipino political party that focuses on women's issues, argued that U.S. military personnel have "diplomatic license to violate our women and children" in reference to reported cases (and

¹³⁹ Jay Directo, "Activists with GABRIELA..." 2007, Getty Images, <https://www.gettyimages.com/detail/news-photo/protectors-rally-in-front-of-the-us-embassy-in-manila-04-news-photo/78756320>.

¹⁴⁰ E. San Juan, *Filipina Insurgency* (Quezon City: Giraffe Books, 1998).

¹⁴¹ Lacsamana, 205.

¹⁴² Laura J. Lederer, "Poor children targets of sex exploitation," *National Catholic Reporter*, https://natcath.org/NCR_Online/archives2/1996d/112296/112296i.htm.

nonexistent punishment) of sexual assault by U.S. military personnel since World War II.¹⁴³ Out of these cases, approximately 2,000 of them, the majority, have never been adjudicated by Filipino courts.¹⁴⁴

¹⁴³GABRIELA, "GABRIELA says no to VFA," 1998, GABRIELA press release, http://members.tripod.com/~gabriela_p/6-pressreles/980213_vfa.html.

¹⁴⁴Ninotchka Rosca, "Rape case exposes U.S. domination of Philippine government," *Socialism and Liberation*, 2007, <http://socialismandliberation.org/mag/index>, 2.

Filipino Brain Drain: Case Study #2

When I visited my cousin's high school in Davao City as a teenager in 2018, I found two words plastered multiple times on every classrooms' four walls: SPEAK ENGLISH. While pre-class gossip was done in a mix of Bisaya and English, all Bisaya vanished once the teacher walked in. Textbooks looked exactly alike to the ones I carried to class. Even with the rudimentary understanding I had of Philippine history and society at the time, I was still able to easily participate. A part of me felt as though I was still in my own school in the States (albeit this time with classmates that looked like me).



A photo of a Filipino elementary school in 1900. Note that English is the only language present.¹⁴⁵

The similarities that I found between Filipino and American education were not just due to my own cultural background. Customs such as English-only instruction are baked into Filipino education, a holdover from the establishment of the first Philippine public school system by the United States during the Philippine-American War.¹⁴⁶ The project was overseen by then-Military Governor General Arthur MacArthur, who saw the schools as “military adjuncts” necessary to “expedite the restoration of tranquility to the archipelago;” as such, the first teachers in the Philippines were American soldiers.¹⁴⁷ By the 1920s, Filipinization saw American teachers phased out and replaced by Filipino teachers; however, English remained as the sole language of

¹⁴⁵ Unknown Photographer, "Tondo Primary School, Manila, Philippine Island, circa 1900," circa 1900.

¹⁴⁶ Michael Paul Onorato, "United States Influences in the Philippines," *Journal of Third World Studies* 4, no. 2 (1987): 22–26, <http://www.jstor.org/stable/45197078>.

¹⁴⁷ Camilo Osias, "Education and Religion." In *Encyclopedia of the Philippines*, edited by Zoilo Galang, 9:126. Manila: E. Floro, 1950-58.

instruction, as it was codified during the 1901 establishment of the Bureau of Education by the Philippine civilian government.¹⁴⁸

English was chosen ostensibly for the sake of convenience for both students and teachers. However, as Vicente L. Rafael, professor of Southeast Asian history argues, this decision was also a key component in the “benevolent assimilation” of Filipinos, which endowed these “savages” with “Anglo-Saxon” values.¹⁴⁹ Its implementation and effects were also just as two-faced. While the employment of English was meant to relieve social inequality through mass literacy, fund shortages, lingering inaccessibility to schooling, and low school retention rates were consistent and prevalent issues.¹⁵⁰ Instead of providing the population with a uniform education, Filipino schooling eventually amplified social differences. The top ranks of Philippine society were held by Spanish-speaking elites, around 5% of the population. The introduction of widespread English-only education allowed for an English-speaking minority, 35% of the population in the 1930s, to emerge. This minority then gained political and economic prominence leaving about 60% of Filipinos unable to participate in the politics of their country due to language barriers.¹⁵¹ It is also worth noting that the usage of English was unusual historically, as “generally, in... colonies, it was and still is customary to use the vernacular [at least] in the elementary schools” rather than solely the language of the colonial power.¹⁵²



A painting of a scene from a rural market by Fernando Amorsolo, the first National Artist of the Philippines. Amorsolo's rural paintings were influential in the creation of an overarching Philippine identity.¹⁵³

¹⁴⁸ Vicente L. Rafael, “The War of Translation: Colonial Education, American English, and Tagalog Slang in the Philippines,” *The Journal of Asian Studies* 74, no. 2 (2015): 284, <http://www.jstor.org/stable/43553585>.

¹⁴⁹ Rafael, 284.

¹⁵⁰ Rafael, 284.

¹⁵¹ Rafael, 285.

¹⁵² Charles Burke Eliot, *The Philippines* (Bobbs-Merrill Company, 1917), 179.

¹⁵³ Fernando Amorsolo, “Market Scene,” painting, 1959.

According to famed Filipino historian Renato Constantino, the classroom was a place where “indigenous Filipino ideals were slowly eroded in order to remove the last vestiges of resistance.”¹⁵⁴ In his seminal book *The Miseducation of the Filipino*, Constantino traces the stunted nature of Philippine history books, which, “from the first school-days under the soldier-teachers to the present... [portray] America as a benevolent nation who came [to the Philippines] only to save us from Spain and to spread amongst us the boons of liberty and democracy.”¹⁵⁵ Portrayals of the Philippines in these textbooks were one-sided and clearly supportive of its colonial rule. As Constantino states, “during the times that the school attempts to inculcate an appreciation for things Philippine, the picture that is presented for the child's admiration is an idealized picture of a rural Philippines, as pretty and as unreal as an Amorsolo painting with its carabao, its smiling healthy farmer, the winsome barrio lass in the bright clean patadyong [a skirt worn by some indigenous groups], and the sweet nipa hut [a traditional Filipino hut].”¹⁵⁶ While agriculture has always been and continues to be an integral part of Philippine society, the nation is one that has been rapidly industrializing. Thus, this picture of a wholly bucolic Philippines is not an accurate one. Constantino argues that scenes like these were presented to subliminally convince Filipinos that the country is “essentially meant to be an agricultural country” and hide the reality of “poverty, the disease, [and] the cultural vacuum... of backward farm communities.”¹⁵⁷ Although Constantino is, in statements like these, guilty of the same kind of elitist thinking he accuses America of employing, he does make some pertinent points. Education *did* function as a tool, but instead of acting as a springboard towards a more modernized society, it aimed to shackle Filipinos to rural life. Filipinos were told that their country was inherently an agricultural one, unable to compete in an increasingly industrialized world. As such, they were led to believe their nation could not stand on its own and were therefore more willing to accept American colonization. Resilience and resistance was rooted out in schooling, allowing for the seeds of silence and complacency to be sowed.

Following Philippine independence, English skills have taken on a new purpose. Fluency in English has opened the door for immigration to virtually every country for thousands of Filipinos. While many, my own family included, are incredibly grateful for the opportunities and successes that living and working abroad have given them, one must ask if the choice to immigrate is really a choice at all. Some Filipinos in the Philippines have lived their entire lives in a language not their own, hearing and singing the praises of a country different than their own – is it any wonder why they might feel a push to emigrate? While the Philippines is, admittedly, both politically and economically unstable, it can be argued that Filipinos are groomed from early ages to emigrate, specifically to their former colonizer. While widespread emigration has benefitted individual families and host countries, brain drain has severely negatively affected the Philippines, specifically in the healthcare sector. Brain drain, the emigration of highly skilled and educated citizens, leads to stalling in innovation, widening social inequality, and loss of human capital, thus rendering sending countries more dependent on remittances and foreign nations for aid.

¹⁵⁴ Renato Constantino, *The Miseducation of the Filipino* (Quezon City: Foundation for Nationalist Studies, 2001),

2.

¹⁵⁵ Constantino, 4.

¹⁵⁶ Constantino, 5.

¹⁵⁷ Constantino, 5.

Up until 1965, the bulk of the professional immigrant stream to America was European. However, the Hart-Celler Act allowed for more highly-skilled (educated and experienced) migration from Asian countries; five years later, Asian immigrants made up 53.1% of immigrant physicians and surgeons.¹⁵⁸

Country	1962	1963	1964	1965	1966	1967	1968	1969	1970
Philippines	119	101	63	66	259	550	639	785	769
India	12	16	8	11	40	87	96	129	242
South Korea	18	19	10	11	35	70	63	128	228
Hong Kong	3	15	2	4	26	42	42	39	41
Taiwan	—	—	—	2	11	34	21	27	36
Japan	8	35	4	11	31	40	23	28	35

*Includes dentists
Note: These 6 countries alone account for more than 90 percent of physician/surgeon emigrants from the Far East and over 40 percent of the total from all countries in 1970.
Source: National Science Foundation, *Scientists, Engineers, and Physicians from Abroad*, Washington, D.C., June 1972, p. 29.

A graph comparing the largest suppliers of skilled immigrants to America from Asia between 1962 and 1970. Note the spike after 1965.¹⁵⁹

A graph from Ernesto M. Pernia's "The Question of the Brain Drain from the Philippines" breaks down the major Asian countries from which these highly-skilled immigrants came from. The Philippines consistently leads, experiencing a 292% increase following the Hart-Celler Act. In 1970, the 769 physicians and surgeons sent by the Philippines accounted for 24% of all physicians (including-non Asian immigrants) immigrating to the United States.¹⁶⁰ Healthcare continues to be an important sector for Filipino immigrants to the United States – around one in every twenty registered nurses in the United States is from the Philippines.¹⁶¹ But how did the Philippines, a small island nation, become the largest exporter of foreign nurses to a country triple its size?

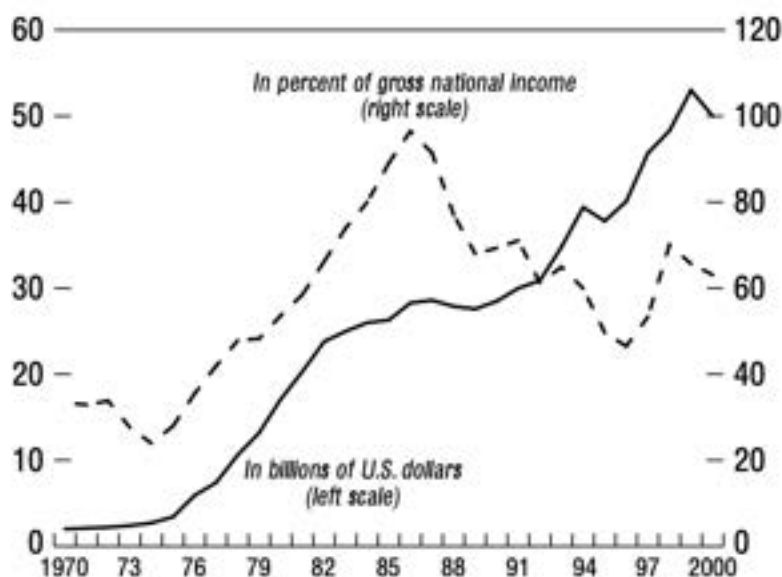
¹⁵⁸ Ernesto M. Pernia, "The Question of the Brain Drain from the Philippines," *The International Migration Review* 10, no. 1 (1976): 63, <http://www.jstor.org/stable/3002404>.

¹⁵⁹ Pernia, Figure 1.

¹⁶⁰ Pernia, 65.

¹⁶¹ Micah Yason, "The History of Filipino Nurses in the U.S.," WBEZ, October 10, 2023,

<https://www.wbez.org/stories/the-history-of-filipino-nurses-in-the-us/834f0ac7-eb56-4303-8670-4903ccf42f53>.

Figure 10.1. Philippines: External Debt

A graph created by the IMF illustrating the Philippines' external debt. Note the period from 1970 to the end of Marcos' reign in 1986.¹⁶²

The dictatorship of Ferdinand Marcos Sr. saw numerous large-scale infrastructure projects. Funded partially through misappropriated funds, these expensive endeavors included constructing roads, bridges, power plants, hospitals, and airports. While these projects certainly, in some ways, benefitted the Philippine public, they plunged the country into debt, as Marcos relied heavily on foreign loans for these campaigns.¹⁶³ While the unemployment rate actually decreased by around 4% during the first nine years of Marcos' twenty year reign, it skyrocketed from 3.9% in 1975 to a high of 12.6% in 1985.¹⁶⁴ Inflation also soared, averaging about 20% with a high of 30% in 1985.¹⁶⁵ Up to half of the population lived in extreme poverty.¹⁶⁶ Seeking an ameliorant, Marcos Sr. introduced the Labor Export Policy in the 1970s.¹⁶⁷ Under the LEP, government agencies such as the Philippine Overseas Employment Administration facilitated the recruitment of Filipinos overseas, their remittances eventually substantially contributing to the indebted country's GDP. While this was designed to be a short-term solution, it has remained in place due to slow economic growth and the continued importance of remittances on the

¹⁶² International Monetary Fund, "Chapter 10," in *Evaluation of Prolonged Use of IMF Resources* (Washington, D.C.: International Monetary Fund, 2003), Figure 10.1, doi: <https://doi.org/10.5089/9781589062054.017>.

¹⁶³ International Monetary Fund, 146.

¹⁶⁴ Sonny Africa, "Anyare? Economic Decline Since Marcos," IBON, May 5, 2016, accessed February 20, 2024, <https://www.ibon.org/anyare-economic-decline-since-marcos/>.

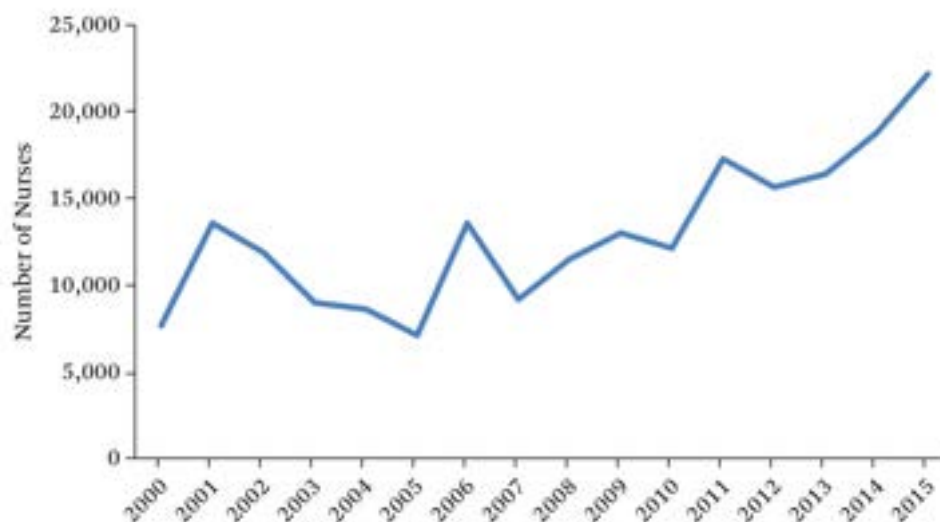
¹⁶⁵ Africa, "Anyare? Economic Decline Since Marcos."

¹⁶⁶ Africa, "Anyare? Economic Decline Since Marcos."

¹⁶⁷ Leah E. Masselink and Shoou-Yih Daniel Lee, "Nurses, Inc.: Expansion and commercialization of nursing education in the Philippines," *Social Science & Medicine* 71, no. 1 (2010): 167, <https://doi.org/10.1016/j.socscimed.2009.11.043>.

Philippines' revenue.¹⁶⁸ In more recent years, “aggressive” recruitment of Philippine nurses by American hospitals and promises of fulfilled American dreams have caused an explosion in the creation and expansion of Philippine nursing schools.¹⁶⁹ These mostly private schools have been praised as an “effective supply response” to meet demand overseas, but have been criticized for their high tuition rates, operation by corporations and family-owned businesses, and effects on Philippine healthcare.¹⁷⁰ Still, the Philippines continues to be something of a natural choice for America, due to its “colonial ties with the United States, English-language higher education system, and government policies encouraging migration.”¹⁷¹

Figure 1. Filipino Professional Nurses Deployed Overseas, 2000-2015



A more recent graph showing the number of Filipino nurses working overseas.¹⁷²

Walang naninira sa bakal kundi sariling kalawang – nothing destroys steel but its own rust. This Tagalog proverb illustrates the negative effects of brain drain on the Philippines, as, while remittances have helped to boost the country’s economy, the exodus of trained healthcare workers has greatly impacted the nation and its people. Despite a high number of nursing graduates, the Philippine healthcare system experiences constant shortages and “serious maldistribution of physicians, nurses and other health workers between urban and rural areas,” leaving it more difficult to find care in this nation of nurses than abroad.¹⁷³ While the Filipino government uses its resources to encourage Filipino nurses to find lucrative work abroad, only

¹⁶⁸ Masselink and Lee, 167.

¹⁶⁹ Yasmin Y. Ortega, “Learning to Fill the Labor Niche: Filipino Nursing Graduates and the Risk of the Migration Trap,” *RSF: The Russell Sage Foundation Journal of the Social Sciences* 4, no. 1 (2018): 173, <https://doi.org/10.7758/rsf.2018.4.1.10>.

¹⁷⁰ Ortega, 173.

¹⁷¹ James A. Tyner, *Made in the Philippines: Gendered Discourses and the Making of Migrants*, Taylor & Francis, 2004, 20.

¹⁷² Ortega, Figure 1.

¹⁷³ Masselink and Lee, 170.

5.6% of the government's proposed budget will go towards the healthcare sector in 2024.¹⁷⁴ Further, the government slashed the previous healthcare budget by PHP2 billion (around US\$35 million), an ironic move that will leave Filipino hospitals both overcrowded and underfunded.¹⁷⁵

Filipino immigration is a double-edged sword. The same remittances that come to the Philippine government via their overseas healthcare workers will be used to fund seemingly anything but that sector at home. The school systems that set Filipinos up for success as nurses in English-speaking countries were born out of predation and continue to essentially groom Filipinos into contributing to brain drain. The story of Filipino immigration is one of colonial history, internal political turmoil, and trade-offs. A closer relationship with the United States would only exacerbate this already pronounced phenomenon, leaving the Philippines even more crippled in taking care of its own people.

¹⁷⁴ Maricar Piedad, "Under the Knife: The 2024 Health Budget," IBON, 2023, <https://www.ibon.org/2024p-health-cuts/>.

¹⁷⁵ Piedad, "Under the Knife: The 2024 Health Budget."

Conclusions

The conflict in the South China Sea is ultimately about much more than territorial disputes between the Philippines and China. It is clear that an increased U.S. military presence in the South China Sea would prove a strategic boon to both the Philippines and the United States – it would provide much-needed protection to the Islands while allowing the U.S. to maintain power in the Pacific. However, blindly accepting this arrangement without solving the historical pitfalls of this relationship would be a mistake.

This paper began with an overview of the history of China in the South China Sea, and how this intertwines with the Philippines' presence in the Sea. While there are many more countries vying for territory in the South China Sea, the conflict between the Philippines and China has proven to be one of the most hostile, following gunfire, broken deals, and the 2013 South China Sea Arbitration. The legacy of American colonialism and imperialism was then traced, beginning with America's liberation of the Philippines from Spain. While the end of the Spanish-American War may have freed the Philippines from Spanish rule, it did not grant the nation independence. What followed was the Philippine-American War, three years of intense fighting, bloodshed, oppression, and resistance. While America effectively emerged victorious, fears of another uprising did, eventually, lead to America installing more Filipinos in power and granting more rights to the Philippines. The Philippines eventually gained independence in 1946, but has still, to this day, maintained a close relationship with the United States. While the relationship has experienced waxing and waning, a constant is the United States' support for the Philippine military, which relies heavily on America for weaponry, training, and infrastructure. This alliance has been strengthened through legislation such as the 1951 Mutual Defense Treaty, which binds the two nations to protect each other should one be attacked in the Pacific. However, it is clear that the Philippines and the United States are standing on unequal ground; from the colonial period to the present-day, legislation consistently offers more concessions to America while allowing the Philippines barer provisions.

The first case study of this thesis examined sexual assaults perpetrated against Filipina women by U.S. military personnel. While it is difficult to begin to dismantle rape culture in the military, particularly the American military, this type of environment is exacerbated in the Philippines by the knowledge that perpetrators are virtually immune. Bringing back American troops to the Philippines without any changes to the VFA would open up the opportunity for more mistreatment, abuse, and assault of Filipinos and close the door on appropriate punishment being doled out. The effects of the second case study, Filipino brain drain, would likely also become more pronounced following a closer relationship between the United States and the Philippines. However, even this may be ameliorated or even avoided altogether through more focus on building up the Filipino healthcare system by both nations and less aggressive American recruitment efforts. While it is undeniable that the Philippines alone cannot defend itself against China should territorial conflicts reach a final breaking point, the relationship between the Philippines and the United States need not be an unequal one. Both countries stand to benefit, but the legacy of American imperialism and its effects on the Philippines must be kept in mind.

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