

BAYAN mounts second bogus challenge to US basing deal

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On January 12, the Philippine Supreme Court ruled that the US-Philippines Enhanced Defense Cooperation Agreement (EDCA), which allows for the return of US bases to the country, was constitutional.

In reaching its decision, the Supreme Court dismissed two appeals—one written by Bagong Alyansang Makabayan (BAYAN), the umbrella front organization of the Maoist Communist Party of the Philippines (CPP), and the other to which BAYAN was a signatory.

On January 16, the *World Socialist Web Site* published an analysis of BAYAN's appeal, revealing that “to the extent that it opposes the treaty, BAYAN does so entirely from the standpoint of extreme Philippine nationalism and anti-Chinese warmongering. BAYAN's argument is that the EDCA is too weak and does not go far enough in ensuring all-out war against China and securing US military protection of the Philippines.”

The CPP is articulating the interests of the most reactionary layers of the Philippine bourgeoisie, who are spearheading Washington's drive to war with China, but looking to secure guarantees of US support and military protection in the event that war breaks out.

It was on this basis, that BAYAN filed a motion for reconsideration before the Supreme Court on February 3. The new motion does not have a prayer of altering the decision of the court, which voted 10-4 in favor of EDCA's constitutionality. It presents no new evidence or argumentation.

BAYAN's stance is utterly two-faced. It is in a political coalition with presidential candidate Grace Poe and is running a candidate for Senate on her ticket. Poe announced her support for the Supreme Court's decision, and BAYAN did not raise a word of criticism.

At the same time, BAYAN is using its motion for reconsideration to posture in the media as if it were opposed to US imperialism and the new basing deal. An examination of the new motion reveals just how phony

this posturing is, and confirms that the CPP and its front organizations are serving the interests of US imperialism.

BAYAN's reconsideration motion stated that an “underlying assumption and judicial notice made by the majority to uphold the EDCA is that China is a bully. True.”

In agreeing with the court that China is a bully threatening the Philippines, BAYAN is fully in line with the propaganda used by both Manila and Washington as the pretext for the US military build-up, not only in the Philippines but throughout the region.

The CPP and BAYAN have repeatedly insisted that China is an imperialist power, which is threatening to “invade” the Philippines. Teddy Casiño, the leading political spokesperson and former congressman of Bayan Muna, the electoral party-list organization of BAYAN, wrote a response to the *World Socialist Web Site*, in which he stated: “China is an emerging imperialist power that does not have second thoughts about invading Philippine territory in its face-off with the US.”

Unlike the United States, which has engaged in one military intervention after another over the past 25 years, China is not an imperialist power and is not threatening to invade anyone. The CPP does not label China ‘imperialist’ to express political opposition to the Stalinist regime in Beijing, with whom it had intimate ties through the mid-1970s and from which it traces its political genealogy.

Rather, the CPP and BAYAN use the label ‘imperialist’ to whip up anti-Chinese chauvinism. Their war-mongering denunciations of Beijing serve to cultivate support for Washington's military preparations for war with China.

China is threatening to invade, they argue, but there is no guarantee that Washington will protect the Philippines. To the extent that they oppose the basing deal, it is from the reactionary perspective of attempting to secure an

airtight guarantee of US protection in the event of war with China.

BAYAN's motion continued: "But we cannot rest our backs on the pretext that another bully—greedy and giddy one at that—the US will fly to our side the moment confrontations escalate to defend our backyards and home front. Do we expect the US to prod their federal government to go to war for us?"

The vast majority of the working class—in both the Philippines and the United States—are opposed to war. The CPP, which is hostile to the interests of the working class, sees mass opposition to war in the United States as a problem that must be overcome. Manila must secure a binding commitment that Washington will go to war with China on "behalf" of the Philippines.

BAYAN concluded its motion with the same logic. "Finally, EDCA will not defend the Philippines against an armed attack by China... Certainly, this is so because there is nothing in EDCA that assures automatic US involvement in an armed conflict between the Philippines and China."

Significantly, BAYAN's motion for reconsideration made no reference to the separate concurring opinion of Justice Antonio Carpio. While agreeing with the majority decision, written by Chief Justice Ma. Lourdes Sereno, which upheld the constitutionality of the EDCA, Carpio wrote a separate opinion in which he directly addressed the threat supposedly posed by China to the Philippines and the need for a basing deal in order to respond militarily to Beijing.

In his concurring opinion Carpio asserted that China had "already invaded repeatedly Philippine 'national territory'." He further claimed that the 1951 Mutual Defense Treaty (MDT) between Manila and Washington automatically obligated the US to go to war in the event of the invasion of Philippine territory, including in the South China Sea.

However, Carpio wrote: "Without the EDCA, the MDT remains a toothless paper tiger. With the EDCA, the MDT acquires a real and ready firepower to deter any armed aggression ... With the EDCA China will think twice before attacking."

BAYAN ignored Carpio's opinion entirely because he is a key political ally and is largely articulating their own perspective.

In June last year, BAYAN spearheaded the formation of a group calling itself Pilipinong Nagkakaisa para sa Soberanya (P1NAS) [Filipinos United for Sovereignty]. The organization is composed of former senators and long-

standing friends of US imperialism, who have united with BAYAN to "assert Philippine sovereignty." Their founding statement announced that they "vehemently oppose" China and are "wary" of the United States.

The keynote speaker at the founding meeting was Antonio Carpio. Justice Carpio delivered a lecture on the threat of China in the South China Sea. At the same event, BAYAN secretary general Renato Reyes announced that P1NAS would be staging protests at the Chinese consulate and American Embassy.

Jose Ma. Sison, head of the CPP, hailed Carpio's ideas as "the most concise and yet comprehensive and profound material."

In October, while ostensibly in the midst of adjudicating on the constitutionality of EDCA, Carpio traveled to Washington and delivered the same lecture on the South China Sea—with the same PowerPoint slides—that he had given before P1NAS in June. He addressed the Center for Strategic and International Studies (CSIS), which has functioned as the leading think tank on Washington's war drive in the Asia Pacific region.

Ernie Bower, chair of the CSIS on Southeast Asia, directly asked Carpio if he felt the EDCA was an adequate deterrence against China. Carpio said he could not speak publicly on the matter as he was involved in the adjudication. Both chuckled, clearly signaling that the unstated answer was 'yes.'

If BAYAN's opposition to the restoration of US bases in the Philippines was in any way genuine, it would have focused sharp criticism on the Carpio opinion. Yet BAYAN'S 82-page motion for reconsideration is completely silent on this matter. It raised not a word of objection.

This was not an oversight. Carpio articulates the same fundamental interests as the CPP and BAYAN. The only difference between Carpio's legal opinion and the political position of BAYAN is that BAYAN is looking for additional guarantees that Washington will go to war, while Carpio is convinced that Washington has already made such a commitment.



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