Tensions erupt between the Philippines and China over disputed island

Joseph Santolan 30 March 2017

Over the past several weeks, sharp tensions emerged between Beijing and Manila over the disputed Scarborough Shoal in the South China Sea, exposing the advanced character of the crisis gripping the Philippines, a result of Washington's preparations for war with China.

The Scarborough Shoal is a triangular chain of rocks and atolls located 140 miles west of the Philippine island of Luzon. In the wake of the Obama administration's launching its "pivot to Asia" in 2010, this collection of rocks in the South China Sea became the subject of fierce contention. Manila and Beijing came to the brink of a shooting war over the shoal in a military stand-off that lasted for months in the first half of 2012.

Tensions flared up again over Scarborough in the first part of March, as Reuters reported on March 17 that Xiao Jie, mayor of Sansha, a prefecture of Chinese claimed islets and features in the South China Sea, had announced that China would be constructing an environmental monitoring station on Scarborough.

Washington has repeatedly indicated that Scarborough is a geopolitical red-line, and moves by China to construct facilities there would not be tolerated. Speaking in 2016, then US Defense Secretary Ashton Carter threatened that a reclamation activity by Beijing in Scarborough would "result in actions being taken by both United States and ... by others in the region which would have the effect of not only increasing tensions, but isolating China."

The report on Scarborough coincided with a larger provocation staged by Washington over the South China Sea. Two days earlier, on March 15, Reuters released a report on alleged new Chinese construction in the South China Sea. On the same day, US Senators Marco Rubio and Ben Cardin introduced the South China Sea and East China Sea Sanctions Act, calling for a ban on visas for Chinese people "helping to build South and East China Sea projects." It would impose "sanctions" on foreign financial bodies that "knowingly conduct or facilitate a

significant financial transaction for sanctioned individuals and entities."

The politics of the Philippines are in an advanced state of crisis as a result of President Rodrigo Duterte's attempt to rebalance the country's economic and diplomatic ties toward Beijing by downplaying Manila's claims in the South China Sea. Prominent sections of his own administration have publicly contradicted the president over questions relating to geopolitics, among them the military, the justice department, and most recently, the Department of Foreign Affairs.

The announcement that China was going to engage in construction on Scarborough brought these tensions to the fore.

The Philippine Department of Foreign Affairs (DFA) on March 19 demanded that Beijing give an explanation for the reports of planned construction. Duterte, seeking to contain tensions and continue developing relations with Beijing, declared "We cannot stop China from doing this thing. … What do you want me to do? What do you want? Declare war against China?"

Philippine Supreme Court Justice Antonio Carpio, who has played a central role in promoting the Philippine legal claim in the South China Sea, intervened in the dispute on March 20. He sharply informed the president that he had a "constitutional duty" to defend the Philippines against China. Carpio admitted, however, that in a war, the Philippines was too weak to defeat the Chinese military. He then proposed his solution: "Send the Philippine Navy to patrol Scarborough Shoal. If the Chinese attack Philippine navy vessels, then invoke the Phil-U.S. Mutual Defense Treaty which covers any armed attack on Philippine navy vessels operating in the South China Sea."

In other words, a justice of the Philippine Supreme Court is publicly proposing that Manila provoke a conflict with China in order to invoke Washington's treaty obligations.

Emboldened by Carpio's speech, Justice Secretary Vitaliano Aguirre declared that Manila was going to file a formal protest against Beijing before the Permanent Court of Arbitration (PCA) in The Hague. The PCA handed down a ruling against China's territorial claims in the South China Sea in the middle of 2016, a ruling which Duterte has studiously avoided invoking.

Chinese Foreign Minister Hua Chunying declared on March 22 that China had no plan to build on Scarborough. Hua added that the Chinese "cherish the good momentum of the bilateral relationship [with the Philippines] and will be committed to pushing forward the sound, steady and rapid growth of the relationship."

An openly acknowledged difficulty with Carpio's proposal for war with China is that the 1951 Mutual Defense Treaty (MDT) between Manila and Washington, which obligates either party to go to war in event the other signatory is attacked, does not in fact cover the South China Sea, but only "island territories" and ships "in the Pacific."

Over the past weeks, simultaneous with those over Scarborough, tensions have erupted over a previously politically irrelevant volcanic ridge known as the Benham Rise, a submerged land mass to which no country but the Philippines lays claim, stretching 250 kilometers east of the northern island of Luzon, into the Pacific Ocean. Several leading Filipino political figures, among them Carpio, have publicly speculated that a conflict in the Pacific, not the South China Sea, would be needed to invoke the MDT.

In mid-March, Philippine Defense Secretary Delfin Lorenzana—a man who has repeatedly revealed that he speaks for the interests of Washington far more than he does for his supposed boss, Duterte—abruptly denounced Chinese vessels for "conducting maritime surveys" over the Benham Rise.

China responded that they acknowledged that the Benham Rise was part of the Philippine Exclusive Economic Zone (EEZ), and that they were just sailing through the waters which they were free to do. Duterte announced that he had authorized the Chinese to sail through the Benham Rise. Lorenzana publicly contradicted Duterte, stating that he had received no notice of this authorization and declaring that he was sending ships to the Benham Rise to patrol, and if necessary, confront Chinese vessels. The foreign affairs secretary chimed in, declaring that he also had received no notice of authorization being given to China.

Confronted with this incipient mutiny within the cabinet, Duterte's national security adviser, Hermogenes Esperon, angrily denounced the defense and foreign affairs statements. He declared that Duterte as the "chief architect of foreign policy, does not need to inform his subordinates about all his decisions. The DFA and DND [Defense] are departments under the President. Are you telling me everything the President does, he has to inform the department?"

On Monday, Duterte met with Chinese ambassador Zhao Jianhau in Davao City where they confirmed plans for Duterte to travel to Beijing at the invitation of Xi Jinping in May. The May meeting, presidential spokesperson Ernesto Abella declared, would be the first implementation of a new "bilateral mechanism" for handling "the South China Sea issue."

This is a remarkable development. Beijing has long pressed for bilateral resolution to the territorial disputes, to which Washington has aggressively counter-posed the need for multilateral discussions—in which it could be a participant and directly influence the outcome. Under former President Benigno Aquino, Manila relentlessly opposed Beijing's appeals on this issue. What is more, Abella referred to the disputed waters as the "South China Sea," dropping the nomenclature established under Aquino of "West Philippine Sea."

At the same meeting, Duterte and Zhao confirmed arrangements for members of the Philippine Coast Guard to travel to China for joint exercises with their Chinese counterparts.

This sharp infighting all points to bitter and intensifying divisions in ruling circles in the Philippines over foreign policy with powerful sections of the Manila elites moving against Duterte over his tilt away from the US, its military ally, and towards China, its major trading partner.



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