



# Preserving American Interests in Duterte's Philippines

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## Abstract

With the expansion of Chinese power projection deeper into the South China Sea threatening to cut off key sea lanes from American military and commercial use, maintaining a strong relationship with the Philippines is more vital now than ever. Unfortunately, the end of the Obama Administration saw an escalation in tensions between the two allies. In an October speech in Beijing, Philippine President Rodrigo Duterte announced his economic and military separation from the United States, citing three reasons for this dramatic shift in foreign relations: American criticism of extrajudicial killings; the failure of American aid; and mistrust. In his actions, Duterte draws upon a historical narrative that has formed throughout his life. By exploring this narrative, this paper reveals a framework upon which the U.S. Government can understand the reasoning behind Duterte's inflammatory rhetoric. Based on this framework and a discussion of U.S. maritime interests in the Asia-Pacific region, this paper develops an aid strategy that provides the greatest opportunity for preserving the U.S.-Philippine relationship. Although the executive branch directs much of America's foreign policy, Congress, who controls government spending through appropriations, is in a unique position to implement such a strategy. This paper recommends that members of the Appropriations Committee consider carefully how they structure the Philippine aid

package. While changes are certainly required to avoid funding Duterte's inhumane "war on drugs," Congress must walk a fine line to avoid the appearance of financial coercion that would only escalate tensions. By redistributing funds to areas of mutual U.S.-Philippine interests, however, Congress will position the executive branch in a way most conducive to maintaining a long-term partnership with the Philippines.

## Introduction

On October 20, 2016 in Beijing, Philippine President Rodrigo Duterte announced military and economic separation from the United States of America.<sup>1</sup> On the surface, Duterte's tirade against the Philippines' closest ally seemed like a rash overreaction to the ongoing tit-for-tat exchanges with then-President Barack Obama. But Duterte is invoking a deep historical narrative about the Philippines' past relations with imperial powers that must be acknowledged by American foreign policy practitioners when deciding the United States' approach. Understanding Duterte's narrative reveals the merit of the Philippine president's concerns. Conversely, failure to see beyond the surface of harsh rhetoric risks ostracizing Duterte, escalating tensions, and further damaging the U.S.-Philippine relationship.

Located in a key position in the Asia Pacific, the Philippines are crucial to the movement of American military and economic resources through the region. While the executive branch will play a significant role in ensuring the future of this relationship, Congress maintains an oft-overlooked power to influence American foreign policy – the power of the purse. Strategically appropriating and conditioning aid both projects American interests and maintains diplomatic relations. Through this process, lawmakers can address the Philippine Government's human rights violations without alienating a key regional ally. These lawmakers must proceed with caution. Exploring Duterte's narrative will help provide American lawmakers the clarity to decide how to optimally structure aid packages to the Philippines to best promote the interests of the United States in the Asia-Pacific region.

Coverage of Duterte's October speech in China focused almost exclusively on the announced separation from the United States. While this was certainly the highlight of the speech, Duterte's justifications for such a separation have largely been ignored. Throughout his speech, Duterte outlined three reasons for separating from the United States: criticism concerning the campaign of extrajudicial killings; failure of American aid; and mistrust.<sup>2</sup> This paper frames Duterte's speech by identifying key historical events that have shaped the President's views of the U.S. Within this framework, we will explore avenues for developing a strategic aid package that benefits the Filipino people, neither supports nor gives the illusion of support to the campaign of extrajudicial killings, and provides the best opportunity to preserve the long-term relationship despite Duterte's deep-seated mistrust of the American government.

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<sup>1</sup> "FULL TEXT: Duterte's keynote address at the Philippines-China Trade and Investment Forum," *philstar.com*, last modified October 21, 2016, <http://www.philstar.com/headlines/2016/10/21/1635923/full-text-dutertes-keynote-address-philippines-china-trade-and->

<sup>2</sup> *Ibid.*

## The Evolution of a War Crime

Criticism of Duterte's support for extrajudicial killings of criminals began before his election. The Human Rights Watch *World Report: 2016*, which examines human rights abuses for the previous year, accused Duterte, then mayor of Davao City, of popularizing the "perception of death squads as valuable tools of 'swift justice' against crime."<sup>3</sup> The report also lambasted President Aquino III's administration for "[failing] to investigate Duterte's claims of masterminding Davao City's death squad."<sup>4</sup> It is not a complete surprise, then, that this "war on drugs" has become a focal point of his presidency to date. What has troubled the international community has been the scale on which this policy has been implemented. Between the start of his presidency in July 2016 and January 2017, 7,080 people were killed either by police forces or vigilantes.<sup>5</sup>

Duterte's current crimes are a nationalized manifestation of actions from his time as Davao City mayor from 1988 to 2015. During his tenure as Mayor, the Davao City Death Squad killed alleged criminals, particularly drug dealers, while receiving public encouragement from Duterte. According to Human Rights Watch, "at least 1,424 such killings took place in Davao between 1998 and 2015."<sup>6</sup> Although Duterte has never been implicated as having command over the Death Squad, other government officials and police officers were directly linked.<sup>7</sup> Duterte's presidency has expanded the scope and increased the speed with which these summary executions are performed by integrating the mission of the Death Squad into the mandate of the Philippine National Police (PNP).<sup>8</sup> Doing so has raised the attention of the international community and attracted the focus of international media.

Before a planned meeting with President Duterte in early September, then-Deputy National Security Advisor Ben Rhodes revealed that President Obama planned to discuss human rights concerns with Duterte.<sup>9</sup> This meeting never took place. President Obama decided instead to meet then-South Korean President Park Geun-hye after Duterte, hearing of the planned discussion topics, labelled Obama a "son of a whore."<sup>10</sup> Obama's decision to forego this meeting displayed a strong American stance against Duterte's war on drugs and an unwillingness to tolerate overt displays of disrespect. Duterte, however, likely saw the cancellation as a display of American arrogance and an attempt at embarrassment on the international stage. Rather than de-escalating tensions between the two nations, this incident set the stage for Duterte's speech a month later – a retaliatory strike aimed at embarrassing the United States in the capital of the one nation that provides the greatest threat to

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<sup>3</sup> Human Rights Watch, *World Report: 2016* (New York: Seven Stories Press, 2016), 261, [https://www.hrw.org/sites/default/files/world\\_report\\_download/wr2016\\_web.pdf](https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf).

<sup>4</sup> Ibid.

<sup>5</sup> Human Rights Watch, *License to Kill: Philippine Police Killings in Duterte's 'War on Drugs,'* HRW.org, last accessed March 23, 2017, 25, [https://www.hrw.org/sites/default/files/report\\_pdf/philippines0317\\_web\\_1.pdf](https://www.hrw.org/sites/default/files/report_pdf/philippines0317_web_1.pdf).

<sup>6</sup> Ibid, 29.

<sup>7</sup> Ibid, 30.

<sup>8</sup> Ibid, 32.

<sup>9</sup> Ben Westcott, "Obama to meet Philippines President Duterte, raise human rights issues," *CNN.com*, last modified August 30, 2016, <http://www.cnn.com/2016/08/30/politics/obama-duterte-laos-meeting/>.

<sup>10</sup> "Barack Obama scraps planned talks with Rodrigo Duterte over 'son of a whore' slur," *ABC.net.au*, last modified September 5, 2016, <http://www.abc.net.au/news/2016-09-06/obama-calls-off-planned-talks-with-duterte/7817454>.

U.S. power projection in the region, China. If the United States is to stabilize its relationship with the Philippines, it must find an arena wherein to challenge Duterte's war on drugs, without further driving him towards China. Strategic funding is such an arena.

## Funding Common Interests

The primary means for Congress to counteract the killings is to restructure funding of the International Narcotics Control and Law Enforcement (INCLE). Currently, the United States provides approximately \$9 million for training police forces and building strong leadership in the judiciary,<sup>11</sup> but there is no directive from Congress that such funds must go to the Philippines. Since President Duterte has made clear his intentions to use the police forces to implement his policy of extrajudicial killings, a bill from Congress restricting INCLE funding would communicate a message of disapproval while also removing American culpability in such human rights abuses. It is not clear how this action alone would force a change in the Philippines or promote overall interests in the region. Such an action would likely be viewed as financial coercion, pushing Duterte further away from the United States and to China.

To avoid this perception, the United States should divert the INCLE funding into an area of mutual interest between the two nations. In the same October speech, Duterte admitted that the Philippines cannot complete its plans for development because “we are really short on the cash flow.”<sup>12</sup> The issue is that Duterte believes American aid has only been used to sponsor “election, corruption, election, corruption, election” without doing anything to help the economy or the “downtrodden.”<sup>13</sup> The validity of Duterte's statement matters less than Duterte's belief in its validity. Since Duterte believes American aid has not helped those in need, it is important that the United States divert funding into programs that would most impact Philippine development. Doing so would also fulfill development goals of the United States Agency for International Development (USAID).<sup>14</sup>

The U.S. has already contributed nearly \$7 billion dollars specifically for economic growth and trade for projects during the 2007 to 2018 time range.<sup>15</sup> Six of the seven billion dollars was spent between 2008 and 2012 to assist “rural banks to develop the capability to profitably provide financial services—loans, deposits, micro insurance, remittances, and mobile phone banking services—to micro-entrepreneurs, small farmers, and other households.”<sup>16</sup> This funding was used to assist the

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<sup>11</sup> Department of State, *Congressional Budget Justification: Fiscal Year 2016*, released February 2, 2015, 105, <http://www.state.gov/documents/organization/236395.pdf>.

<sup>12</sup> “FULL TEXT: Duterte's keynote address at the Philippines-China Trade and Investment Forum,” *philstar.com*, last modified October 21, 2016, <http://www.philstar.com/headlines/2016/10/21/1635923/full-text-dutertes-keynote-address-philippines-china-trade-and>.

<sup>13</sup> *Ibid.*

<sup>14</sup> “Mission, Vision and Values,” *USAID.gov*, last modified January 7, 2016, <https://www.usaid.gov/who-we-are/mission-vision-values>.

<sup>15</sup> “Economic Growth and Trade: Interactive Map,” *USAID.gov*, accessed December 5, 2016, <http://map.usaid.gov/?s=EGT>.

<sup>16</sup> “Microenterprise Access to Banking Services Phase 4,” *USAID.gov*, accessed December 5, 2016, <http://map.usaid.gov/PublicProjectDetail?id=a0cd000000am4EAAQ&cid=Philippines>.

people without going through the Government of the Philippines. This figure dwarfs the \$12.5 million dollars from 2009 to 2016 for Democracy, Human Rights, and Governance<sup>17</sup>—the money Duterte likely refers to in his allegations of funding corruption.<sup>18</sup> By increasing funding to programs that promote development and economic growth, the United States would assert a greater interest in helping the Filipino people than in supporting corrupt government officials.

The evidence available to the U.S. Government also fails to support President Duterte's claims that American aid has perpetually funded corruption. It is true that corruption has been a major hindrance to good governance in the Philippines' history. In the first half of President Benigno Aquino III's term (2010–2013), the Philippines consistently received a failing grade from the Millennium Challenge Corporation for rule of law, control of corruption, investing in people, and certain areas of economic freedom.<sup>19</sup> At the beginning of the Duterte administration, however, the Philippine Government, while maintaining a failing grade for investing in people and economic freedom, passed all categories related to corruption.<sup>20</sup>

With each country painting different pictures of the same situation, it can often be easy to dismiss the other's behavior as irrational. This is a position the United States must work to avoid if it is to maintain its strategic interests. In "Why the 'Foreign' Matters in Foreign Affairs," Michelle Lebaron and Jarle Crocker explain how grading foreign cultures based on "universally understandable rational behavior" creates the possibility of labeling a nation or culture as irrational.<sup>21</sup> Operating under this mindset leaves "sanctions and force as the only tools for achieving the national interest."<sup>22</sup> The goal is not to prove Duterte's claims wrong. Rather, discovering why he is inclined to hold a position contrary to evidence enables us to formulate the most appropriate response. By judging Duterte's rhetoric through American standards, we risk labeling him as irrational and failing to address the cultural and historical narratives from which he is operating.

## Origins of Mistrust

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<sup>17</sup> "Democracy, Human Rights, and Governance: Interactive Map," *USAID.gov*, accessed December 5, 2016, <http://map.usaid.gov/?s=DHRA>.

<sup>18</sup> "FULL TEXT: Duterte's keynote address at the Philippines-China Trade and Investment Forum," *philstar.com*, last modified October 21, 2016, <http://www.philstar.com/headlines/2016/10/21/1635923/full-text-dutertes-keynote-address-philippines-china-trade-and>.

<sup>19</sup> "Philippines Scorecard, FY 2010," *MCC.gov*, last modified November 9, 2016, <https://assets.mcc.gov/scorecards/score-fy10-philippines.pdf>; "Philippines Scorecard, FY 2011," *MCC.gov*, last modified November 15, 2016, <https://assets.mcc.gov/scorecards/score-fy11-philippines.pdf>; "Philippines Scorecard, FY 2012," *MCC.gov*, last modified November 9, 2011, <https://assets.mcc.gov/scorecards/score-fy12-new-philippines.pdf>; "Philippines Scorecard, FY 2013," *MCC.gov*, last modified November 7, 2012, <https://assets.mcc.gov/scorecards/score-fy13-philippines.pdf>.

<sup>20</sup> "Philippines Scorecard, FY 2017," *MCC.gov*, last modified November 3, 2016, <https://www.mcc.gov/who-we-fund/scorecard/fy-2017/PH>.

<sup>21</sup> Michelle Lebaron and Jarle Crocker, "Why the 'Foreign' Matters in Foreign Affairs: Cultural Understanding in Policy Processes," *Harvard International Review* 22, no. 3 (2000): 54-56.

<sup>22</sup> *Ibid.*

In his October speech, Duterte exhibited a deep mistrust of the United States, lambasting Americans for their discourteousness and “idiotic arrogance” while praising the Chinese for their sincerity and for having the “character of an Oriental.”<sup>23</sup> When discussing specific examples of American discourteousness and arrogance, Duterte referenced the era of American colonialism in the Philippines and a missing bond payment from a 2015 raid that left 44 Philippine commandos dead.<sup>24</sup> Taking into account Duterte’s references along with one other recent event, the 2002 case of Michael Meiring, we can begin to see President Duterte’s inflammatory statements as a reaction to a historical narrative and develop policy accordingly.

Announcing the separation of the Philippines from the United States, President Duterte explained: “The reason why I decided to shift gears is because I do not see any reason why I should stick with the Americans who invaded us after the Spaniards for 400 years, stayed there for 50 years and since then nothing has happened.”<sup>25</sup> Although this statement connects his displeasure with US foreign policy today with American colonialism, it does not offer guidance as to how to address problems in the bilateral relationship. President Duterte’s October statement may have been drawing upon the same reference he made a month earlier, only with a broader application. When asked on September 5 to respond to President Obama’s views on the campaign of extrajudicial killings, Duterte accused the US of hypocrisy and cited the massacre of 600 Moro, the Muslim minority in the southern Philippines, in 1906:

Who is he? When as a matter of a fact, at the turn of the century, before the Americans left the Philippines in the pacification campaign of the Moro in this island, there were about six million ang [*sic*] population ng [*sic*] Moro. How many died? Six hundred. If he can answer that question and give the apology, I will answer him.<sup>26</sup>

He went on to say, “as a matter of fact, he has too many—America has one too many to answer for the misdeed in this country . . . That is the reason why Mindanao continues to boil.”<sup>27</sup> Mindanao, the site of the Moro massacre, happens to also be the island housing Davao City. Although the massacre occurred many years before Duterte was born, it has clearly shaped the culture in which Duterte was raised and continues to influence his view of the United States.

The massacre took place in March, 1906 in the crater of a dormant volcano, Bud Dajo, on Mindanao Island.<sup>28</sup> The United States military, under the command of military governor Major

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<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

<sup>26</sup> “FULL TEXT: President Rodrigo Duterte’s departure speech (ASEAN Summit),” *CNNPhilippines.com*, last modified September 8, 2016, <http://cnnphilippines.com/news/2016/09/06/duterte-departure-for-asean-summit-speech.html>.

<sup>27</sup> Ibid.

<sup>28</sup> Michael Hawkins, “Managing a Massacre Savagery, Civility, and Gender in Moro Province in the Wake of Bud Dajo,” *Philippine Studies* 59, no. 1 (2011): 84, <http://www.jstor.org.proxygw.wrlc.org/stable/42635002?pg->

Hugh L. Scott, had trapped more than 600 Moro men, women, and children in the Bud Dajo fortification. After two days of prominent Muslim chieftains urging the rebels to surrender or release the women and children, nothing had been achieved. On March 6, Major Scott ordered an “all-out assault on Bud Dajo.”<sup>29</sup> Once the fighting concluded, “over 600 Filipino Muslims were dead, many of them women and children. American losses stood at 18 dead and 52 wounded.”<sup>30</sup> Following the massacre, President Theodore Roosevelt commended the troops for “the brilliant feat of arms wherein [they] so well upheld the honor of the American flag.”<sup>31</sup> Of the American soldiers that fought that day, two were awarded medals of valor and one received the Congressional Medal of Honor.<sup>32</sup> Not all reaction from the United States was positive. New information and images of the battle sparked outrage among certain Congressmen and the public. Bud Dajo quickly became “a symbol of U.S. imperial oppression in the Philippines.”<sup>33</sup> Unfortunately, the outrage in America did not last long. By April, just one month later, “Bud Dajo had been fully eclipsed in U.S. newspapers by more urgent domestic political issues.”<sup>34</sup>

Although Americans quickly forgot the tragedy at Bud Dajo, there remains at least a portion of the Filipino culture that remembers that day as a symbol of the evils of imperialism and the “quintessential example of raw American imperial power in the Philippines.”<sup>35</sup> By invoking the Moro massacre as an example of lethal American aggression twice in two months, once explicitly and the other through general reference, President Duterte is drawing upon a deep-seated mistrust of American power. Calling on President Obama to apologize on behalf of the United States more than one hundred years after the event occurred is an attempt by Duterte to redefine the Philippines’ position relative to the United States as two equally sovereign nations. Thus, his exclamation: “I am not beholden to anybody. I am a President of a sovereign state, and we have long ceased to be a colony. I do not have any master, except the Filipino people.”<sup>36</sup> Hence, when the United States attempts to end Duterte’s war on drugs through international criticism and alienation at a time when his domestic approval ratings remain high, it is easily interpreted as an attempt to control, or infringe upon, Philippine sovereignty.<sup>37</sup> With Duterte’s narrative framing the way he views the United States, it is not irrational that he may be prone to confirmation bias. Confirmation bias occurs when decision makers “seek out information that confirms their beliefs” and “ignore contradictory data.”<sup>38</sup> In Duterte’s case, he may be finding examples to support the belief that the United States is

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<sup>29</sup> Ibid.

<sup>30</sup> Ibid.

<sup>31</sup> Ibid.

<sup>32</sup> Ibid., 85.

<sup>33</sup> Ibid.

<sup>34</sup> Ibid., 86.

<sup>35</sup> Ibid.

<sup>36</sup> “FULL TEXT: President Rodrigo Duterte’s departure speech (ASEAN Summit),” *CNNPhilippines.com*, last modified September 8, 2016, <http://cnnphilippines.com/news/2016/09/06/duterte-departure-for-asean-summit-speech.html>.

<sup>37</sup> “March 2017 National Survey on Presidential Performance and Trust Ratings,” *PulseAsia.ph*, last modified April 4, 2017, <http://www.pulseasia.ph/march-2017-nationwide-survey-on-presidential-performance-and-trust-ratings/>.

<sup>38</sup> Giovanni Gavetti and Jan W. Rivkin, “How Strategists Really Think: Tapping the Power of Analogy,” *Harvard Business Review*, April (2005), <https://hbr.org/2005/04/how-strategists-really-think-tapping-the-power-of-analogy>.

mistreating the Philippines because it has happened in the past. Specifically, this appears to be true in his October speech when mentioning a 2015 raid that left 44 Philippine commandos dead:

Forty-four Mamasapano soldiers, they went inside, they died. No dramatics, no nothing. No . . . Except that we grieve for our soldiers. Maybe in this – in the days ahead, I will order the opening of that issue again. Not really to prosecute people but just to know what happened? Who got the five million? Whether the tip of the finger of Marwan was gotten by the Special Forces of the United States or was it really brought to the forensic division *diyan sa Crame [sic]*. These are the lies that are imposed upon the people which is not good. Let us go for the truth.<sup>39</sup>

On January 25, 2015, 392 Special Action Force (SAF) officers of the Philippines' National Police led a raid on a compound believed to be the location of the Philippines' two most wanted terrorists, Marwan and Usman.<sup>40</sup> Marwan, who was also wanted by the United States' Federal Bureau of Investigations (FBI), had a bounty placed on his head by both governments.<sup>41</sup> The results were devastating to the SAF forces, which lost 44 policemen in the raid.<sup>42</sup> Although Usman escaped, the SAF forces were successful in finding and killing Marwan, cutting off one of his fingers afterward for DNA testing.<sup>43</sup>

Following the killing of Marwan, the issue became deciding who would receive the bounty. In the end, an informant, whose identity was never released, received the bounty from the Philippine government, but did not receive the \$5 million FBI bounty.<sup>44</sup> It is unclear why the FBI bounty was never awarded, but it is thought to be due to the informant's connection to the Philippines' intelligence community.<sup>45</sup>

## U.S. Interests in the Philippines

Through a cultural narrative that taught Duterte to view the United States as untrustworthy and unhelpful to the Philippines, a story that may not seem egregious to others becomes further

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<sup>39</sup> "FULL TEXT: Duterte's keynote address at the Philippines-China Trade and Investment Forum," *philstar.com*, last modified October 21, 2016, <http://www.philstar.com/headlines/2016/10/21/1635923/full-text-dutertes-keynote-address-philippines-china-trade-and->

<sup>40</sup> Arlene Samson-Espiritu and Tim Hume, "Philippines honors 44 slain commandos with day of mourning," *CNN.com*, last modified January 30, 2015, <http://www.cnn.com/2015/01/30/world/philippines-day-mourning-milf/>.

<sup>41</sup> Mike Frialde, "PNP confirms claimant of P7-M bounty for Marwan's arrest," *philstar.com*, last modified January 29, 2016, <http://www.philstar.com/headlines/2016/01/29/1547622/pnp-confirms-claimant-p7-m-bounty-marwans-arrest>.

<sup>42</sup> *Ibid.*

<sup>43</sup> Roy Ramos, "No Marwan bounty for families of slain Filipino police," *aa.com.tr*, last modified February 6, 2015, <http://aa.com.tr/en/world/no-marwan-bounty-for-families-of-slain-filipino-police/77168>.

<sup>44</sup> Mike Frialde, "PNP: P7-M Marwan bounty claimed," *philstar.com*, last modified January 30, 2016, <http://www.philstar.com/headlines/2016/01/30/1547804/pnp-p7-m-marwan-bounty-claimed>.

<sup>45</sup> Roy Ramos, "No Marwan bounty for families of slain Filipino police," *aa.com.tr*, last modified February 6, 2015, <http://aa.com.tr/en/world/no-marwan-bounty-for-families-of-slain-filipino-police/77168>.



evidence of arrogance and insincerity. To counteract the resulting confirmation bias, the United States must recognize this lens through which Duterte interprets its actions, and then slowly work to alter that perception. When the United States is developing foreign policy toward the Philippines, the issue is more emotional than financial: how can the United States gain Duterte's trust?

The answer hinges on how important the United States views the Philippines to its interests in the Asia-Pacific region. The expansion of Chinese power and influence in the South China Sea has threatened American access to key sea lanes and strained U.S. relations with ASEAN states.<sup>46</sup> Maintaining U.S. leadership in the Asia-Pacific hinges on maintaining and, where possible, strengthening our relationship with each of these states. The Philippines is no exception. Apart from trade agreements, which Duterte has not shown interest in dismantling, maritime peace and security are the primary interests of the United States in the region.<sup>47</sup> In the Department of Defense's *Asia Pacific Maritime Security Strategy* report, the focus in the region seems to fixate almost exclusively on balancing the rise of China.<sup>48</sup> The military agreements between the United States and the Philippines allow for a strategic location from which America can maintain a large presence in the region.<sup>49</sup>

After a decade without a military presence in the Philippines, agreements were signed between Philippine President Arroyo and President George W. Bush in 2002 to allow American forces to use Philippine military facilities.<sup>50</sup> These agreements did not create American bases, as was the case with prior agreements. Instead, the United States received the strategic benefit of maintaining forces in the South China Sea without the full costs of operating a base, and the Philippines received important military financing and training.<sup>51</sup> The two nations have maintained this relationship as an integral part of achieving their individual interests.

Although Duterte's October speech specifically called for a military separation, his actions have done little to move in that direction. Per the Center for Strategic and International Studies (CSIS), "the defense relationship has borne the brunt of the fallout, which so far has been limited to a reduction in military exercises."<sup>52</sup> If Duterte keeps his word, however, more cuts to the U.S.-Philippine military relationship are forthcoming. The good news for the United States military is that Duterte set 2022 as the deadline for removing all foreign troops.<sup>53</sup> Since 2022 is the year he will

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<sup>46</sup> Amy Searight, Murray Hiebert and Geoffrey Hartman, "Southeast Asia from Scott Circle: Southeast Asia – Guidelines for the New Administration," *CSIS.org*, last modified February 9, 2017, [https://www.csis.org/analysis/southeast-asia-scott-circle-southeast-asia-guidelines-new-administration?utm\\_source=CSIS+All&utm\\_campaign=8030fe511b-&utm\\_medium=email&utm\\_term=0\\_f326fc46b6-8030fe511b-145362993](https://www.csis.org/analysis/southeast-asia-scott-circle-southeast-asia-guidelines-new-administration?utm_source=CSIS+All&utm_campaign=8030fe511b-&utm_medium=email&utm_term=0_f326fc46b6-8030fe511b-145362993)

<sup>47</sup> Department of Defense, *The Asia-Pacific Maritime Security Strategy: Achieving U.S. National Security Objectives in a Changing Environment*, released July 27, 2015, [http://www.defense.gov/Portals/1/Documents/pubs/NDAA%20A-P\\_Maritime\\_Security\\_Strategy-08142015-1300-FINALFORMAT.PDF](http://www.defense.gov/Portals/1/Documents/pubs/NDAA%20A-P_Maritime_Security_Strategy-08142015-1300-FINALFORMAT.PDF).

<sup>48</sup> *Ibid.*

<sup>49</sup> Eleanor Albert, "The U.S.-Philippines Defense Alliance," *cfr.org*, last modified October 21, 2016, <http://www.cfr.org/philippines/us-philippines-defense-alliance/p38101>.

<sup>50</sup> Mel C. Labrador, "The Philippines in 2001: High Drama, a New President, and Setting the Stage for Recovery," *Asian Survey* 42, no. 1 (2002), 142, <http://www.jstor.org.proxygw.wrlc.org/stable/10.1525/as.2002.42.1.141>.

<sup>51</sup> *Ibid.*, 147-148.

<sup>52</sup> "Taking Stock of the Alliance as the Philippines Prepares for Trump," *CSIS.org*, last modified December 1, 2016, <https://www.csis.org/analysis/taking-stock-alliance-philippines-prepares-trump>.

<sup>53</sup> Chris Larano, "Philippines' Duterte Wants Foreign Troops Out by 2022," *WSJ.com*, last modified November 11,

Constitutionally leave office; the military should be able to maintain enough of a presence over the next five years to continue the 2002 agreements into the next administration. To protect American interests in the region, it is crucial that potential solutions not antagonize Duterte to move the deadline forward.

## Limitations to Military Cooperation

Duterte has long opposed American military presence in the Philippines. In 2013, when Duterte was mayor of Davao City, he rejected requests for the United States Government to use the city's old airport for drones. According to Duterte, he told the U.S. Government, "I do not want it. I do not want trouble and killings . . . They will only add to the problem."<sup>54</sup> Although the primary purpose was humanitarian, Duterte's comments suggest he worried about the drones' surveillance and combat operation capabilities. Mistrusting the American drone program is rational, especially when understood from Duterte's cultural narrative of America as an imperial power.

Besides the Bud Dajo massacre and the drone incident, Duterte's experience as mayor reinforced his mistrust of the United States. In May 2002, a bomb exploded in a room at the Evergreen Hotel in Davao City.<sup>55</sup> The room was being rented to an American, Michael Meiring, who had been seriously injured in the blast. Meiring claimed he was a treasure hunter and would occasionally joke with hotel staff about being in the C.I.A., "Christ in Action."<sup>56</sup> It is unclear who Meiring really was, or if he was truly a member of Christ in Action, an American-based organization focused on disaster relief and street evangelism.<sup>57</sup> What is clear, however, is that during his final time visiting the hotel, he kept in his room two locked metal boxes. He gave strict instructions to those cleaning his room not to touch the boxes.<sup>58</sup> At least one of the boxes turned out to be the bomb that exploded, "mangling [Meiring's] legs and damaging the hotel."<sup>59</sup> Following the explosion, Meiring was taken to the hospital, where he was to receive treatment while the police investigated the explosion.<sup>60</sup> Within three days of the explosion, Meiring had been smuggled out of the country. Per witnesses, the men who took Meiring that night had flashed F.B.I.

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2016, <http://www.wsj.com/articles/philippines-duterte-wants-foreign-troops-out-by-2022-1478841157>.

<sup>54</sup> Karlos Manlupig and Tarra Quismundo, "Duterte rejects US request to use Davao as drones base," *inquirer.net*, last modified August 16, 2013, <https://globalnation.inquirer.net/83435/duterte-rejects-us-request-to-use-davao-as-drones-base>.

<sup>55</sup> Carolyn O. Arguillas, "Meiring mystery 14 years later: Duterte still awaits report, apology from US," *MindaNews.com*, last modified October 23, 2016, <http://www.mindanews.com/top-stories/2016/10/meiring-mystery-14-years-later-duterte-still-awaits-report-apology-from-us/>.

<sup>56</sup> Richard C. Paddock, "Mysterious Blast in Philippines Fuels Rodrigo Duterte's 'Hatred' of U.S.," *NYTimes.com*, last modified May 13, 2016, [http://www.nytimes.com/2016/05/14/world/asia/philippines-president-rodigo-duterte.html?\\_r=0](http://www.nytimes.com/2016/05/14/world/asia/philippines-president-rodigo-duterte.html?_r=0).

<sup>57</sup> "Who We Are," *Christ in Action*, accessed February 24, 2017, <http://www.christinaction.com/content/Who-We-Are.aspx>.

<sup>58</sup> Richard C. Paddock, "Mysterious Blast in Philippines Fuels Rodrigo Duterte's 'Hatred' of U.S.," *NYTimes.com*, last modified May 13, 2016, [http://www.nytimes.com/2016/05/14/world/asia/philippines-president-rodigo-duterte.html?\\_r=0](http://www.nytimes.com/2016/05/14/world/asia/philippines-president-rodigo-duterte.html?_r=0).

<sup>59</sup> *Ibid.*

<sup>60</sup> *Ibid.*

badges.<sup>61</sup> This incident gave fodder to the narrative that the U.S. was conducting covert operations in the Philippines.

A few weeks after the event, Duterte gave a speech in which he described the case as “an affront to Philippine sovereignty.”<sup>62</sup> To this day, Duterte is “still awaiting an apology and a copy of the report that he said the US Embassy in Manila promised him.”<sup>63</sup> To Duterte, a man who grew up with the story of American imperialist power at Bud Dajo, the incident with Michael Meiring was not only an example of the United States disrespecting the rights of the Philippine people and government, but a continuation of American violence against the Philippines. The truth of what happened is less important than what Duterte believes happened. Since Duterte believes that the United States was conducting covert operations in the Philippines, it affirms his existing views that the U.S. is attempting to maintain imperial control over the islands.

The only way to counteract this view is to remain engaged with his administration and begin building trust through other means, such as increased aid for economic development. Fully repairing Duterte’s mistrust of the U.S. would require more time than he will constitutionally remain in power. The U.S. must recognize the reasoning behind his mistrust, understand that his anti-American rhetoric is not irrational and reactionary, and strategically structure its foreign aid packages to show U.S. interest in promoting the good of the Filipino people. Doing so will find common ground to work with Duterte toward domestic aims in line with American values, while eliminating financial support for his counter-narcotics tactics.

Duterte has still not forgiven nor forgotten what happened in his city fourteen years ago. In 2011, Duterte said he saw the Meiring case as evidence that the United States was carrying out “covert operations against Muslims in Mindanao.”<sup>64</sup> The issue of military partnership in the Philippines will be a challenge as long as Duterte is in office for precisely this reason. Not only is the military a symbol of American dominance, but also a constant threat of covert actions against his government or his constituents. Bud Dajo and Michael Meiring will be easy analogies for Duterte to evoke any time he feels as if the United States is exerting pressure on him. The confirmation bias of Duterte’s historical narrative will lead him to question the sincerity of every American action.

## Policy Options

Trust takes time to establish. According to the Philippines’ Constitution, Duterte will serve six years as President with no constitutional right to reelection.<sup>65</sup> Because six years is insufficient time to overcome Duterte’s firmly rooted historical narrative, the long-term interests U.S. interests

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<sup>61</sup> Ibid.

<sup>62</sup> Carolyn O. Arguillas, “Meiring mystery 14 years later: Duterte still awaits report, apology from US,” *MindaNews.com*, last modified October 23, 2016, <http://www.mindanews.com/top-stories/2016/10/meiring-mystery-14-years-later-duterte-still-awaits-report-apology-from-us/>.

<sup>63</sup> Ibid.

<sup>64</sup> Karlos Manlupig and Tarra Quismundo, “Duterte rejects US request to use Davao as drones base,” *Inquirer.net*, last modified August 16, 2013, <https://globalnation.inquirer.net/83435/duterte-rejects-us-request-to-use-davao-as-drones-base>.

<sup>65</sup> “Executive Branch of Government,” *gov.ph*, accessed December 3, 2016, <http://www.gov.ph/about/gov/exec/>.

may be better served by accepting a weakened relationship for the next six years while working to avoid the complete separation announced in October.

During this buffer period, the United States Congress should be wary of giving the impression of support for extreme human rights abuses. First, this could undermine the efforts to promote human rights in other areas of the world. Second, Filipinos themselves could view a weak U.S. stance towards human rights abuses as de facto complicity in the Philippine Government's campaign, causing even more damage to the future of U.S.- Philippine relations. A more strategic approach is to take a hard line on the extrajudicial killings, but work to mend the relationship in other areas.

Congress could enact this hard line without Donald Trump's support. For example, if an act of appropriations prohibited INCLE funds from being provided to the Government of the Philippines or the PNP, the executive branch would be bound by law. Such a prohibition could come with a reporting requirement to be submitted by the Secretary of State justifying the use of any funds given to the Philippines for this purpose. Approval of the waiver would then be subject to approval by the Congressional Appropriations Committees.

This approach has been used for assistance to other countries. For example, the *Consolidated Appropriations Act* for fiscal year 2016 (September 30, 2015 – September 30, 2016) states that funds “may not be made available to the central Government of Haiti unless the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Haiti is taking effective steps” to hold fair elections, strengthen the rule of law, combat corruption, and increase government revenues.<sup>66</sup> A similar approach to the Philippines would be preferable to a full prohibition of funding or complete silence on the issue; full prohibition would risk maximal escalation of tensions, whereas remaining silent risks culpability.

The benefits and drawbacks to this solution are grounded in the explicit nature of the U.S. stance on the Philippines' actions in the “war on drugs”. This is a benefit since it sets a precedent for standards of expected of future American aid recipients. Conversely, it is a drawback since the Philippine Government will know Congress is specifically targeting their war on drugs, and may respond no differently than to a complete prohibition.

For this reason, it would be important that other language be included in the Appropriations Act, or the accompanying reports, that would act as encouragement for areas the Philippines have improved upon. For example, the Act could divert the \$9-million-dollar decrease that will result from the prohibition of INCLE funding towards the Philippines' Economic Support Fund and include a statement in the report acknowledging the progress made in the Millennium Challenge Corporation's corruption grade.

An example of an encouraging statement used in past appropriations can be found in the House Report accompanying the 2016 *Consolidated Appropriations Act*. Concerning Foreign Military Financing to Bahrain, the Report states: “The Committee notes Bahrain's progress to engage in a national dialogue to promote reform and governance and supports funds in this Act being made

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<sup>66</sup> U.S. Congress, *Consolidated Appropriations Act, 2016*, 114th Cong., 1st sess., 2015, Public Law 114-113, 2797, <https://www.congress.gov/114/plaws/publ113/PLAW-114publ113.pdf>.

available for Bahrain.”<sup>67</sup> This approach, paired with a tougher stance on INCLE funding, allows the United States to show support for the successes of the Government of the Philippines while refusing to be party to their war on drugs. The same approach could be used for increased development funding for the “downtrodden,” an area of interest to Duterte.<sup>68</sup>

In response to Duterte’s October speech, U.S. leaders drew upon an American narrative of close relations between the two nations.<sup>69</sup> This narrative does not resonate with Duterte. Such a disconnect can lead not only to confusion in messaging, but also the dismissal of the other party as irrational.<sup>70</sup> A failure to understand the historical views and narrative of the other side risks hasty overreaction. This likely would have happened if the United States swiftly enacted a large-scale policy response after Duterte’s announced separation. Instead, by taking the time to understand the underlying issue, the United States is able to respond productively.

The U.S. maintains the means to secure its interests in the region with the Philippines as a crucial ally. Maritime and military security can be maintained by upholding past agreements until the 2022 deadline as long as escalation is avoided in other areas. Human rights interests can be served by placing a special prohibition on INCLE funding intended for the Philippine Government or the PNP. Humanitarian interests can be served by diverting INCLE funding to the Economic Support Fund and commending the Philippines for improvements in countering corruption. Although maintaining these interests will require coordination between the legislative and executive branches of the United States Government, such measures would best promote and maintain U.S. foreign policy objectives in the Asia-Pacific. As Congress prepares appropriations for fiscal year 2018, lawmakers should plan the aid package to the Philippines accordingly. Such planning may serve as the stabilizing force in an otherwise unstable relationship.

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<sup>67</sup> U.S. House of Representatives, 114th Cong., 1st sess., 2015, House Report 114-154, Title IV, 86, <https://www.congress.gov/114/crpt/hrpt154/CRPT-114hrpt154.pdf>.

<sup>68</sup> “FULL TEXT: Duterte’s keynote address at the Philippines-China Trade and Investment Forum,” *philstar.com*, last modified October 21, 2016, <http://www.philstar.com/headlines/2016/10/21/1635923/full-text-dutertes-keynote-address-philippines-china-trade-and>.

<sup>69</sup> Nick Gaouette, Elise Labott and Michelle Kosinski, “White House: ‘Filipino Mike Pence’ tries to walk back Duterte’s break with US,” *CNN.com*, last modified October 21, 2016, <http://www.cnn.com/2016/10/20/politics/rodigo-duterte-us-interests-philippines/>.

<sup>70</sup> Michelle Lebaron and Jarle Crocker, “Why the ‘Foreign’ Matters in Foreign Affairs: Cultural Understanding in Policy Processes,” *Harvard International Review* 22, no. 3 (Fall 2000): 54-56.