



A Dissertation submitted in partial fulfilment of the requirements for the award of the Degree of Master of Arts in International Relations in the School of Social Sciences, Faculty of Arts, University of the Witwatersrand

Title: From Aquino to Duterte: Philippines foreign policy and the South China Sea dispute.

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Abstract

This thesis aims to analyse how the differences in the Philippines government administrations of Presidents Aquino and Duterte foreign policy towards China have affected the dynamics of the South China Sea dispute. In this assessment period spanning from the year 2010 to date, the research aims to highlight the expression of power by small states through leveraging international law and foreign policy as a counter hegemonic force of power for States with otherwise limited powers in conflict. The analysis will be carried out using data collected from documented interview evidence, academic and media publications, unclassified government archives and foreign policy statements of the countries under study. The theories within International Relations of Structural realism and Neo-Classical Realism will form the theoretical framework used to analyse each foreign policy period and the resultant outcomes thereof.

The findings aim to reveal how diplomacy from small states with a weaker economic and military position within territorial conflicts invite the opposition's cooperation with the small state. These cooperative alliances may however expose small states to subsequent exploitation within newly formed alliances. These alliances, aimed at distracting from the addressing of grievances in the core dispute, offer in exchange temporary financial respite to the small state provided by economically and militarily stronger states. The assessment of this bi-lateral dynamic presents an opportunity for knowledge gain for small states in avoiding similar pitfalls through cogent policy formation and mapping out of bi-lateral partnership parameters in dealings with stronger states.

Ultimately however while the various events between the Philippines and China have not led to advances in the resolution of their claims in the SCS dispute itself, they have provided China with a platform to increase its regional strength and the Philippines with an opportunity to further stabilize and grow its economy through the China-Philippines joint energy exploration and the merging of the objectives of China's "one belt, one road" with Duterte's "build! build! build!" into an aligned infrastructure development agenda.

Declaration

This study is my original work except in instances where research sources have been acknowledged. The dissertation has never been submitted to another University for the purpose of awarding of a degree.

STUDENT..... DATE30 April 2021.....

Signature

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Thank you to my supervisor, Prof. Garth Shelton for intuitively understanding and giving me the guidance and latitude that I needed to navigate my studies and complete this research under the difficult circumstances of a pandemic year.

Dedication

To my husband Thembelani who has always given me the courage to pursue my dreams and for my sons Anathi and Aphiwe for whom I wish that my efforts will serve as a reminder that it is never too late to pursue your dreams.

Acronyms and Abbreviations

AFP- Armed Forces of the Philippines

ASEAN- Association of Southeast Asian Nations

COC- Proposed ASEAN- China Code of Conduct

DOC- ASEAN-China Declaration of Conduct of Parties in the SCS

DFA- Philippines department of Foreign Affairs

EEZ- Exclusive Economic Zone

KIG- Kalayaan Island Group

NM- Nautical Miles

PCA- Permanent Court of Arbitration

PCG- Philippine Coast Guard

PLAN- People's Liberation Army Navy

PRC- Peoples republic of China

SCS- South China Sea

UNCLOS-United Nations Convention on the Law of the Sea

US- United States (of America)

WPS- West Philippine Sea

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CHAPTER 1

INTRODUCTION

Introduction

The growing tension and political dynamics between the Philippines, China and four other Asian claimant countries in Southeast Asia over the contested waters of the South China Sea continues to be a hotspot for potential military conflict in the South China Sea region. The ongoing precarity of the situation in the South China Sea makes this a topic of critical relevance in the broad study of International Relations and more specifically Foreign Policy and Peace and Security studies. Recapitulating the developments of the past decade's impasse between most of the claimants and the surprisingly successful de-escalation of Sino-Philippine relations since mid-2016, this study ponders the broader question of the extent to which the leadership change in Manila, Philippines influenced this outcome. From 2011 to 2016 the multilateral conflict over territorial sovereignty and maritime rights in the South China Sea intensified dramatically and at its core during this period of escalation are two claimant states, China and the Philippines. In early 2013, the latter under the government of president Aquino took the unprecedented step of bringing a case before the Permanent Court of Arbitration (PCA) against China.

Concurrently, America's handling of this "Asian problem" over the past decade is a litmus test for the future status of United States' (US) primacy as the nation faces crucial opportunities to prove its hegemonic resilience as well as its military and diplomatic skills to protect its allies and friends at the same time dealing with its rivalry with a rising China.

This study analyses the changes and continuities in the Philippines' Foreign policy toward territorial disputes in the South China Sea, the prospect for peaceful conflict resolution, and the greater security implications of this issue for Sino-US relations and the future of the small nation state.

Background to the Problem

This study examines the foreign policy of then-President Benigno Aquino from 2010 to 2016, especially the policy of balancing China's expansive maritime claim in the South China Sea in comparison to that of current President Rodrigo Duterte. President Aquino challenged China by bolstering closer Philippine–US security relations, acquiring American military equipment, seeking from the Americans an explicit security guarantee under the 1951 Mutual Defence Treaty (MDT) and promoting a strategic partnership with other countries. However, the subsequent Duterte administration has in many ways distanced itself from the United States and is seemingly gravitating closer to China, despite the Permanent Court of Arbitration (PCA) July 12 2016 award in favour of the Philippines against China in respect of China's claims to the South China Sea.

Jennings (2020) argues that it appears “President Duterte's foreign policy is directed at reviving the equi-balancing policy on China, in contrast to then-President Aquino's pro US strategy.” This is best exemplified by his efforts to harness China for several major infrastructure and investments projects in the Philippines and the reviving of intensified bilateral relations with Beijing. Professor of international studies Renato Cruz de Castro postulated earlier in Duterte's presidential term that while President Duterte's efforts to gravitate closer to China at a time when Philippine–US security relations were at rock bottom created a popular misconception that the Philippines was embarking on a total pivot toward China, the same president was ironically seeking to revive relations with America and her allies by fostering a security partnership with Japan, China's main rival in East Asia (de Castro 2016). The speculation by de Castro, like that shared by Jennings four years later (2020), was that the incumbent president's foreign policy vision was likely that of a balancing act and aimed at straddling the two powers to the benefit of the Philippines.

The study from Aquino to Duterte: Philippines foreign policy and the South China Sea dispute will examine how The Philippines, an old U.S. ally and more recent friend of China, is balancing and leveraging the two Super Powers through the use of foreign policy in a manner that will afford the Southeast Asian country developmental benefits and embolden their claims in the South China Sea. Incumbent President Duterte's Foreign Policy has markedly differed from his predecessor, fostering closer security partnership with emergent People's Republic of China (PRC).

Some experts argue that the shift in Philippine foreign policy towards China does not entirely reflect an expression of power from the Philippines but rather a buckling to the power expressed by the Peoples Republic of China. These thinkers also argue that the perceived pivot is a response to the waning support from the United States Trump administration of 2016 to 2020. This paper aims to ascertain from documented evidence whether these claims bear truth.

This statement supports the deep-dive enquiry of this project; to ascertain the true nature of the successive Philippines foreign policies of 2010 to 2020 and the gains or losses made on any outcomes and relations in the SCS dispute as a result of these policy stances.

Thus, the study specifically advances discussions on the shifting Philippines' foreign policy in light of the developments in the South China Sea (SCS). Before delving into a detailed inquiry of the Aquino or Duterte Foreign policy, it is important to highlight that territorial sovereignty and maritime rights of this region continue to be a serious cause for concern and a potential threat to international security. This is heightened by the ever-changing climate control and climate change scenario which continues to put pressure on airable land, water pollution and scarcity and thus the food security that the fisheries of the SCS provide. On the one hand, China; a rising economic, political and military power has consistently argued that its growing influence in international relations is premised on its non-confrontational principles yet it's counter Super Power the United States has on several occasions refuted that narrative (Dirmeikis 2018 and Tuan Minh 2011). Nonetheless advancing national interests at a global level has historically prompted aggressive policies from the states requiring said advancement of their national interests and thus it would be an interesting finding should the study reveal a shift from the aggressive mode of national interest advancement in support of China's claims of non-confrontational diplomacy. As such, the SCS presents a worthy case study for thorough examination of foreign policies amongst and between disputing claimants, territorial and otherwise.

The SCS is an area of prime geo-strategic importance to many of its claimants, namely, China, Taiwan, Vietnam, Malaysia, Philippines and Brunei. According to Krishnan (2013) "South China Sea is a marginal sea area that is part of the Pacific Ocean, encompassing an area from Singapore and Malacca Straits to the Strait of Taiwan of around 3 500 square kilometres." The area's importance largely emanates from the fact that one third of the world's shipping transits through its waters and it is believed to hold huge oil hydrocarbon gas reserves beneath its waters

(Beukel 2010). Rues (2004:23) similarly notes that in terms of communication networks and linkages, the SCS connects Europe and Asia, making it one of the busiest channels in the world.

The South China Sea has long been regarded as a major source of tension and instability in East Asia, managing the risk of possible conflict over disputed area in the SCS remains a significant challenge for regional and global relations. (Bateman,2009:3) Despite the numerous attempts no consensus nor framework towards a resolution has been achieved.

A notable critical turning point in the dispute according to Liu (2016) occurred in 2013 when “The Philippines sought the remedy of international law through the Permanent Court of Arbitration (PCA) by filing a suit challenging China’s nine dash line; a line which China drew up to mark waters it deems belong under their state control and encircles up to 90 percent of the contested waters of the SCS.” The suit also contested the occupation of territories in the Spratly Islands of the SCS (Liu 2016). The PCA case was instituted with the aims that it would halt the aggressive reclamation of land and militarization of these reclaimed parcels of land by China. In 2016 the PCA ruled in favour of the Philippines, finding no basis or proof of China’s historical claims to the occupied land in the Spratly islands (Liu 2016). China, which had recorded its refusal to participate in the arbitration at the inception of the case in 2013 did not accept the ruling. The position of China’s claims in the South China Sea has thus not changed materially post the ruling but ongoing negotiations between China and the Philippines have taken a positive turn with the development of the Joint energy exploration of a disputed SCS petroleum field.

This study will shed light on these issues and more fundamental questions about the supposedly oscillating Philippines foreign policy with a particular focus on territorial disputes in the South China Sea. The study would be incomplete without an analysis of China’s rise and challenge to America’s supremacy in Asia as this may be a contributing factor to the willingness of China to foster cooperation with the Philippines despite the litigation that the Philippines instigated against China.

Statement of the Problem

The large body of research on the South China Sea is predominantly focused on China's Power in the dispute and within the South East Asian region. Of similar attention is the expression of the role of the United States as a guarantor in the Asian Pacific and as a global hegemon whose presence in the region balances China's growing power therein. While the Philippines is given notable attention as the most vocal opposition to China's claims, dominance and military tactics in the South China Sea, much of the literature chronicling the role of the Philippines emphasises the relative weakness of the Philippines in relation to China and the U.S and suggests that the foreign policy of the Philippines is driven by the large State power threat posed by China in the SCS. Likewise, in relation to the US, the same power dynamic is at play in the traditional realist proposition that smaller states will seek to augment their power through bilateral relations with stronger states and thus the foreign policy approach of the Philippines to the US is driven by the power position of the United States as hegemon.

More importantly, the nature of the Philippines' foreign policy towards China in the South China Sea is rather puzzling. After being sworn into office as the President of the Republic of the Philippines on 30 June 2016, Rodrigo Duterte not only sparked international attention with his fervent rhetoric, but also confusion when he disentangled his administration from the Aquino administration's geopolitical agenda (de Castro, 2019). This departure from his predecessor's more confrontational policy suggests significant personality influence on national foreign policy. It is against this background that this study seeks to assess the extent to the President influences foreign policy considering that from his inaugural address he announced the Philippines' 'military and economic separation' from the United States at the Philippine-China Trade and Investment Forum (Duterte in Beijing, 2016), and has significantly downplayed its diplomatic win at the Permanent Court of Arbitration.

De Castro (2019) notes that China's sweeping claims of sovereignty over the sea and the sea's estimated 11 billion barrels of untapped oil and 190 trillion cubic feet of natural gas have antagonized competing claimants, provoking the Philippines who are the primary focus of the study to take radical steps to protect its claims. The ultimate test is whether the Philippines's strides in its territorial and jurisdictional claims to the highly contested waters of SCS are in fact commensurate with its much-touted change in engagement with China.

The answer to this test will address the current gap in research which points to a limited assessment of the power building mechanisms of small states and how radical changes in foreign policy can be a tool or hindrance to such power building. In assessing the driving force of foreign policy in a small state such as the Philippines, the research aims to challenge the realist understanding of power as predominantly a function of large states and hegemony.

Context and Scope of Study

The broad context of the study is the leveraging of foreign policy and international law by small states to counter hegemonic forces in instances of conflict. The specific context of the study is to interrogate whether the China-Philippines cooperation in infrastructure development and joint energy exploration through Duterte's build build build and the People's Republic of China One belt one road are a result of diplomatic and foreign policy decisions made by Philippine government administrations in the past 10 years and whether these policy decisions bear the promise of stability in respect of the South China Sea dispute.

The South China Sea dispute was selected for its relevance to International Relations and the opportunity that the findings of the research will present for the understanding of protracted territorial conflicts and their resolution. The choice of China and the Philippines out of the six disputants in the South China Sea is motivated by the key role that each of these two states have played in the ongoing dispute. China has been the core of focus both in the region and globally as a rising power. China has also been dominant in its military exercise of power in the South China Sea. The Philippines while a smaller and weaker state in relation to China, has been a vocal and consistent disputant to China's claims on the Spratly Islands and Scarborough Shoal. The Philippines was also successful in bringing China in front of an arbitration tribunal constituted under the provisions of the United Nations Convention on the Law of the Sea and winning the case.

Unit of Analysis

The unit of analysis in this research report is the foreign policy of the Philippines towards China and the U.S in the context of the South China Sea during the successive administrations of presidents Aquino and Duterte.

Hypotheses

- Changes in the foreign policy of small states are primarily driven by the leadership within the state and factors acting upon the state and the leadership.
- Small states leverage power against large states through the use of foreign policy to influence territorial dispute outcomes.

Research Objectives

The overall objective is to examine the nature of the Philippines foreign policy with specific reference to the administrations of Aquino and Duterte's over the past 10 years. In line with this overall objective, this study seeks to accomplish the following specific objectives:

- To establish the determinants of the Philippines's foreign policy and how, if at all, the foreign policy changes have affected their claims in the dispute over the control of the SCS.
- To elucidate how small states can leverage their foreign policy to balance power of stronger states.
- To show the opportunities and strategies for small wins within disputes that are otherwise far from resolution
- Lessons on how to strategically form alliances on matters other than the contended issues or territories between dispute locked countries as seen in the recent Sino-Philippines relations, may offer insights on bilateral cooperation for other countries locked in territorial disputes.

Research Questions

1. What impact do large state power and changes in presidency have on the foreign policy formation in small states? An assessment of the Philippines foreign policy from 2000-2020.
2. What can the changes in the foreign policy of Philippines to China and the US tell us about the foreign policy power of small states in challenging or affirming hegemony?
3. Has the shift in the Philippines foreign policy towards China affected the Philippines outcomes in the South China Sea?

Justification of the Study

This research project aims to understand the catalyst for the variations in foreign policy of the Philippines and in addition thereto assess how these variations in foreign policy affect tensions in territorial disputes. In answering the latter question, the research will establish whether there exists an opportunity for the leveraging of power by small states who are in territorial disputes with stronger states through the use of foreign policy and international law.

Historically territorial disputes have been the primary source of conflict globally (Vasquez 1993 and Holsti 1967). Where conflict involves claims to land, the complex nature of such claims and differing historical accounts in rightful occupation of the disputed land parcels often results in long protracted wars where the continual embers of unresolved conflict lead to further deterioration of relations between states and the degradation of country infrastructure. This can be seen in the Middle East conflicts of the Golan Heights, Gaza and the West Bank, the East China Sea and the South China Sea (Conant 2014). In 2014 there were a reported 150 cases of territorial disputes, and the concentration occurring mostly in the Global South where there is a concentration of small states (Conant, 2014). It is thus of importance particularly to the Global South Community to understand which mechanisms are likely to speed up the resolution of territorial disputes but most importantly how to augment their own power and economic security through such mechanisms. States as the primary unit of study in International Relations thrive economically, politically and socially when they are able to maintain strong diplomatic relations with other states in the global community. Studies geared towards conflict management are therefore of continued relevance to the discipline of International Relations.

The questions explored have the potential to influence policy makers and practitioners in conflict management as the study seeks its objective outcomes. The intention of the study is to arrive at an outcome that will be thought provoking to policy makers in the interested parties to the SCS dispute as they grapple with attaining an amicable solution thereto as well as the policy makers of other smaller states of the global south that are locked in protracted disputes; territorial or otherwise.

Organization of the Study

The introductory chapter of the dissertation is an attempt to bring to the attention of the reader the subject matter of this study by clearly outlining the intellectual and technical framework of the research. The objectives have been outlined; the research questions of the study will be answered in subsequent chapters. The next chapter deals with the related literature of the study, exploring the major works on the SCS dispute and the methodology. Chapter three's focus is a presidential enquiry. The chapter discusses and analyses President Aquino III and President Duterte's historical background, their ascension to the presidential seat and domestic and foreign policy stances in an aim to assess the extent to which Presidents influence the Foreign Policy in the Philippines and by extension states similar to the Philippines.

Chapter four will discuss and critically analyse Philippines foreign policy under the administrations of incumbent president Duterte and his predecessor President Aquino III by evaluating Philippines bilateral relations with China and the United States respectively. The Chapter also includes an evaluative discussion of the key events in the South China sea during the period 2010 to 2020. The fifth and final chapter will highlight the findings of chapters 3 and 4 and offer a concluding evaluation of the determinants of foreign policy changes in the Philippines and how these have translated to counter China's hegemonic force against the Philippines. The theoretical and practical implications of the varying foreign policies will also be considered and through this consideration the gap filled by the research project will be elucidated.

CHAPTER 2

LITERATURE REVIEW AND METHODOLOGY

Introduction

This chapter deals with the related literature of the study exploring the major works on the SCS maritime conflict. A thorough review of existing literature gives a better understanding of the existing knowledge and helps with insight into the selected problem. Most importantly it facilitates the identification of literature gaps and supports the analysis and any resultant recommendations that may emanate from the study. Thus, based on the focused objectives, literature has been reviewed to structure out a better understanding of the SCS conflict. More importantly the intention of this chapter is to make clear that the theoretical and literary background used in framing this study is thoroughly researched and well-discussed.

Theoretical Framework

The theory of Realism is one of the oldest and most well-established theories in the discipline of International Relations. Its position as a dominant theory of International Relations has been cemented by its ability to explain war and conflict, which is a prevalent part of the anarchic international system, better than any other theory (Dunne and Schmidt 2014). As this research project deals with foreign policy based on addressing the contentious situation of the South China Sea and the looming threat of war that this dispute presents, the grand theory of realism is the best suited theoretical framework from which to conduct this study.

Over the years following the first world war various strands of realism emerged, some bearing significant differences in their supposition of war and quest for power and dominance. Notably for this project two strands of realism stand out as appropriate tools of enquiry and thus the theoretical framework from which the hypotheses proposed earlier are tested is derived from Structural Realism which comprises of Offensive and Defensive Realism respectively and Neo-Classical Realism. These strands of realism are adopted to test the extent to which aggressive state power acts as the primary force in driving changes in Philippine foreign policy vis a vie a combination of security maximization and domestic politics such as state-society relations and leadership.

This theoretical framework is aimed at testing and challenging the offensive realist theory's assumption that the sole goal of each state is to maximise its share of world power with the ultimate goal being that of establishing itself as world hegemon (Mearsheimer 2002).

For classical realists it is in the states' inherent nature to seek power while for the offensive realist strand of structural realism it is the anarchic nature of the international system that prompts states to seek power. The state is the key actor in international politics and must pursue power in the interests of surviving in an inherently hostile anarchic global order (Dunne and Schmidt 2014). Mearsheimer's offensive realism adopts the view that states will continue to search for opportunities to gain power at the expense of other states (Dunne and Schmidt 2014). According to Mearsheimer 'having overwhelming power is the best way to ensure one's power (Mearsheimer, 2013:78)'.

Structural realism concurs with classical realism in the position that international politics are characterised by the struggle of power between states and that the number of great powers or large states determines the structure of the international system. (Dunne and Schmidt 2014). The structural realist determination of power as predominantly a function of strong and large states is challenged in this study by offering a perspective closely linked to the neo classical realist determination of power as a function of a state's ability to extract resources from societies they rule thus premising the state-society relationships as an important factor together with the state's ability to leverage international law and foreign policy in its favour.

Waltz' structural realism, often referred to as defensive realism posits that in crucial situations, security, and not the drive for power and dominance, is the primary motivation for the actions of states (Dunne and Schmidt 2014). According to defensive realism, States are therefore security maximisers rather than power maximisers. Furthermore, Waltz maintained that it was unwise for states to try and maximise power as this attempt would draw punishment from the international system. Waltz' defensive realism will thus also prove an important tool of assessment of the Philippines actions in the SCS during the period under study in juxtaposition to that of the Mearsheimer's offensive realism.

This research aims to extend that defensive power mechanisms are as much an attainable strategy for small states as they are for large states using the Philippines efforts in its foreign policy direction in respect of the SCS dispute as a case study.

Furthermore, this research project aims to advance the use of foreign policy as a modern and effective tool of acquiring and exercising state power over the conventional realist strong power tactics of using economic might and military weaponry.

In doing this, the research leans further to contemporary realist ponderings on the importance of expanding the parsimonious assumptions of realism to include intervening factors such as domestic politics in understanding state behaviour (Dunne and Schmidt, 2014). Herein the neoclassical realists implore the inclusion and accounting for perceptions of state leaders, state-society relationships and state identity as intervening variables between the distribution of power and foreign policy behaviour of states.

In relation to the study at hand, this entails a deep dive analysis of the state-society relationships within the Philippines in the period under study and the perception changes from each president under enquiry as a means to understand their influence on foreign policy formation and response to the prevalent distribution of power between China and the United States in so far as the SCS dispute is concerned.

Realism as a whole offers a rubric which accounts for the survival of states, particularly small or weak states, through the balance of power. It proposes that this balance of power is attainable through collaborative acts and establishing formal alliances aimed at checking the power of large or stronger states to ensure equilibrium and averting state dominance (Dunne and Schmidt, 2014). In this regard, the collective claimant states of the Philippines, Brunei, Malaysia, Vietnam and Taiwan can exercise a balance of power if they can form alliances that will check the power of China in the dispute and region.

Historical background of the South China Sea Dispute

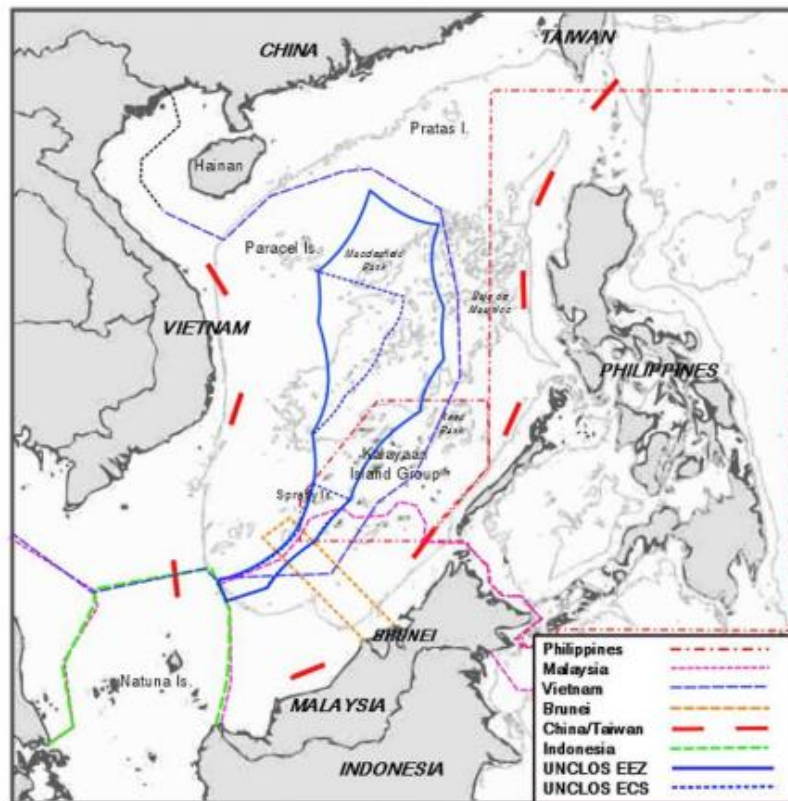
The contention of the maritime territories of the South China Sea dates back to the mid twentieth century (Dirmeikis 2018). Though China first produced images of the nine-dash line which delineates its claims to most of the South China Sea in 1914, the first official reproduction of the nine-dash line in the maps of the Peoples Republic of China (PRC) only occurred in 1947 (Goethart, 2015). Both China and Vietnam claim the entirety of the South China Sea, while the remaining claimants; Philippines, Malaysia, Indonesia and Brunei have overlapping claims which may explain why a coalition of these states to balance China's power and counter China's dominance in the seas has to date not been successful.

The Philippines was early to register its claim to the Spratly islands and the Scarborough Shoal in 1946 with the United Nations but it wasn't until Japan declared *res nullius* (nobody's property) in accordance with the 1943 Cairo and 1945 Potsdam Declarations – a term which means nobody's property- in 1951 that the Philippines entrenched its claims (Dirmeikis 2018, Hong 2013 and Tuan Minh 2011). In 1956, the same year the Philippines declared the new state of Kalayaan from the disputed territory, Vietnam also claimed the Paracel and Spratly Islands (Hong 2013). The Paracel and Spratly Islands are at the core of the territorial, economic and strategic interests in the SCS dispute with the Philippines laying claim to the Spratly islands as part of its archipelagic territory.

Over 45 of the Spratly features are reportedly occupied by the littoral states (see Figure 1). The largest of these Islands, Itu Aba is occupied by Taiwan while Vietnam is reported to occupy 22 islands as per their report issued by the Vietnamese publication *Nhan Dan* in April 1988, the Philippines 9, China 7, Malaysia 4 and Brunei none despite its claim against Louisa Reef (Gonzales, 2014, Vuving 2016 and World Fact Book 2021). Various studies concur that in so far as ascertaining undisputed ownership to the islands and waters of the SCS, historical enquiry is inconclusive and thus it remains difficult to establish rightful claims (Dirmeikis 2018, Goethart 2015, Gonzales 2014 and Tuan Minh 2011). Furthermore, the complexity of the current competing claims being founded on a variety of historical, territorial and legal bases makes it difficult to assess the claims on unitary criterion. Further complications arise owing to the fact that many of the islands are mostly uninhabited, rendering historical sovereignty problematic.

The decades between the first claims until the 1970s were an era of relative peace in the SCS though the claimant states continued to hold competing claims to the SCS (Goethart 2015). The discovery of the presence of large oil and gas deposits in the 70s is believed to have sparked the intensified rivalry that we see prevailing to the present day. Collectively the maritime resources of oil, gas, fishing reserves and strategic geographic position of the SCS waters as a vital shipping route have contributed to the intensifying of the tensions in the SCS (Goethart, 2015 and Tuan Minh 2011). The United Nations Convention on the Law of the Seas (UNCLOS) coming into force in 1994 is also believed to have intensified the tension in the SCS. In the immediate aftermath of the UNCLOS, China took control of Mischief reef in 1995, a reef close to the Philippines and erected buildings thereon despite protests from the Philippines (Goethart 2015 and Dirmeikis 2018). Manila viewed this bold move by China as a direct threat to their security (Hong 2013).

Territorial Claims Map



(Source: The Asian Center and Institute for Maritime Affairs and Law of the Sea University of the Philippines)

In November 2002, a long-negotiated *Declaration on the Conduct of Parties in the South China Sea* (DOC) was signed by the ASEAN countries including China (Dirmeikis 2018). Led by Chinese foreign minister Qian Qichen, this non-binding agreement was aimed at reducing tensions in the SCS by declaring that all claimants adopt an approach of consultation and negotiation in the attempt to settle claims to the SCS

Of all the claimants in the dispute, China has for the past 40 years been the most active in asserting its claims with force. Albeit having adopted a ‘good neighbour’ regional policy also called the ‘charm offensive’ strategy with its fellow ASEAN countries in the first few years following the Cold War from late 2009 China became far more assertive in its claims to the SCS (Tuan Minh, 2011 and Rajagopal 2016).

On two separate occasions in March and May 2010, China declared the South China Sea as its “Core Interest” and many scholars proposed that this signalled a move by China towards more aggressive diplomatic and military efforts in securing its claims (Yoshihara and Holmes 2011).

In this same period of 2010 up to the Philippines' filing of a case against China with the Permanent Court, China had fired warning shots at Philippines fishing boats near Jackson Atoll in 2011, there'd been a standoff in the Scarborough Shoal between a Philippine warship and two Chinese surveillance vessels. The 2012 Scarborough Shoal standoff ended in a victory for China as they effectively deployed their maritime law enforcement vehicles in the shoal (Rustandi, 2016). With the Scarborough shoal a possible tipping point, the Philippines sought international law to defend its claims in the SCS by filing its case against China with the Permanent Court of Arbitration in 2013.

Foreign Policy analysis

Literature on foreign policy is of chief concern to this research as Foreign policy forms the basis of enquiry in this research. Notable literary contributions on foreign policy as a whole are US model centric in the sense that the various means through which the United States drives its foreign policy appear to be the dominant ways in which foreign policy analysis is derived (Alden and Brummer 2019 and Friedman Lissner 2019). This lends the literature on foreign policy analysis to an approach that is laden with a mix of diplomacy, economic might and military tools. Alden (2019) promotes the importance of making theoretical contributions that will overcome the western or U. S bias of foreign policy analysis. The analyses of China's foreign policy also contain similar mixes of diplomacy, economic and military might as assessment tools. Foreign policy that does not feature this dominant mix is often associated with small states in the global south who use various forms of diplomacy primarily as the arsenal of their foreign policy. Thus, the inference is that effective and powerful foreign policy approaches are those of stronger states who have the economic and military tools to bolster their foreign policy and in corollary those of smaller states are deemed weaker and ineffective (Haviland, 2004, Awolich 2014). The militarization of foreign policy over time has resulted in the development of a wide range of literature that defends hard power foreign policy approaches as most effective. Peterson (2002), contributes to this narrative in his work which calls for the need to employ public diplomacy strategies that will convince the public of the necessity of the U. S's use of force in wars such as the war on terror. This line of thinking is not different to that of Awolich (2014) who calls for stronger deterrence based foreign policies from powerful states in South Sudan while discounting the efforts of African diplomats as they do not offer a coercive solution. US public diplomacy is premised on lobbying for the understanding and support of U.S actions and interest, even when these include a militant foreign policy (Kamminga, 2013 and Peterson, 2002).

While there is merit in the need for escalation of conflict resolution when atrocities against human life occur, the normalisation of force is problematic.

There is thus a gap in expanding the scope of effective foreign policy to include foreign policy that does not have the military and economic might in its architecture. This is the gap that this research hopes to contribute in bridging through the case study of the Philippines foreign policy. The ASEAN Preventive Diplomacy is notable progress in the regional architecture and could prove a worthy tool in addressing tensions in the SCS and this research aims to demonstrate the ability to effectively apply its ideals through the undertaken case study.

The Psychological Dimension of policy making

In their 1991 article, authors Montiel and Chiongbian noted how research in political psychology was still young discipline (Montiel and Chiongbian, 1991). At their time of publication, with only two academics identifying themselves as political psychologists, the authors noted that despite the dearth of political psychologists there were a considerable number of social scientists who studied the social, cultural and historical factors that shaped political behaviour both directly and indirectly (Montiel and Chiongbian, 1991). Montiel and Chiongbian (1991) through the study of four key historical events in the Philippines between years 1960 and 1980 arrived at the conclusion that highly charged political events changed the social settings within the Philippines and thus the political behaviour and processes of resultant decision and policy makers. The table below, extracted from Montiel and Chiongbian (1991), demonstrates the relationship between the four major events in the Philippines political scene and both the psychological impact that these shifts had together with the psychological stimulus for these shifts during the period prior to the 70s until the early 90s. Simply put, these major events had both a psychological impact on the masses and politicians within the Philippines. In turn, the resultant changed political climate influenced the psychological dimension of further decisions made in the Philippines during those years.

Table General Trends in Filipino Political Psychology Through the Years

Political Context	Common Research Topics	Psychological Dimension	Political Dimension
Pre-Martial Rule: Before 1970	Kinship system and political power	Personal/family/clan relationships	Political power
Early Martial Rule: 1970–1975	Socialization/ Attitudes toward abstract political concepts	1) learning 2) attitude formation	Political concepts as objects of learning
Middle & Late Martial Rule: 1976–1985	Political conflict and its effects	1) stress 2) therapy 3) social movements	Political situation of the Marcos dictatorship as source of stress
EDSA Until Today: 1986–Present	People Power and the transition from dictatorship to democracy	1) collective behavior 2) political leadership 3) value systems	Political transition from dictatorship to democracy
Post-EDSA: 1986–Present	Nationwide public opinion surveys	Attitude measurement	Political figures, programs, issues

Source: Montiel and Chiongbian 1991

In a contribution to the plurality of factors affecting foreign policy decision making, Hermann and Hermann (1989) delved into an empirical study to ascertain who foreign policy decision makers are and how those decision makers come about those decisions. Hermann and Hermann (1989) noted, crucially so, that in contrast to what many decision theories hypothesise, the actual process of choice on a policy is seldom a clear and precise occurrence. Instead, the resultant policy is the outcome of a gradual, incremental process that transpires over an extended period without anyone being able to say “X” made the decision on a given date. Hermann and Hermann (1989) also contribute that while decision making in foreign policy ultimately rests with what they term the “ultimate decision unit”, such units’ decisions are influenced by a myriad of factors; both domestic and international. This stance is in alignment with that of Montiel and Chiongbian referenced above as well as numerous other foreign policy researchers such as Holsti 1976, Walker 1977 and Stuart and Starr 1981 -1982 to name a few.

Weiss and Kinder (1978) ruminate on the informational and psychological perspectives of foreign policy. Their point of departure is that “decision makers continually learn about decision problems by gradually incorporating features of the environment previously neglected and taking into account more of the implications of the decision outcomes (Weiss and Kinder 1978:708)” In framing the psychological perspectives of foreign policy, the authors review the works of three scholarly contributors to this discipline. Of Robert Jervis (1976) contribution, they highlight the key position in which Jervis (1976) points out that it is not only inevitable but often desirable that people will rely upon prior expectations and beliefs to interpret

evidence presented to them in foreign policy decision making. (Weiss and Kinder, 1978). Jervis further extrapolates that new evidence is influenced by the decision makers predispositions and initial hypotheses on the matter at hand (Weiss and Kinder, 1978). Jervis also notes that predispositions do change. However, on a balance of scales, predispositions are overly resistant to change; often irrationally so (Weiss and Kinder, 1978). Thus, Jervis finds that foreign policy is littered with irrational inconsistency fuelled by the decision makers predispositions and a belief in the superiority of their own decisions and policies in relation to those of others. In contrast Axelrod (1976) supposes that foreign policy decision makers rely on cognitive maps to make foreign policy decisions. These cognitive maps decision makers rarely if ever consider reciprocal causal relations and they systematically ignore trade offs regardless of the fact that both are present in the workings of policy (Weiss and Kinder, 1978). Unlike Jervis who leans on the irrationality of decision making influenced by predispositions and a sense of superiority, Axelrod leans on the rationality of foreign decision making made by the over simplification of the environment through cognitive maps.

Janis and Mann (1977) explore the ramifications of policy decisions that are influenced by affective reactions associated with psychological stress. Theirs is a decision maker that is “beset by conflict, doubts and worry, struggling with incongruous longings, antipathies, and loyalties, and seeking relief by procrastinating, rationalizing, or denying possibilities for his own choice” (Janis and Mann 1977:175 in Weiss and Kinder 1978:714). Janis and Mann adopt a conflict model of decision making wherein the decision makers battle and weigh the psychological stress associated with the outcomes of their decision making.

Literature on the psychological aspect of foreign policy is as briefly encountered in this section vast and varied. What remains consistent is that the psychology of actors is an influencing factor in foreign decision making and thus forms an integral part of the analysis to follow. As with the findings by Hermann and Hermann (1989) while it may be impossible to isolate the exact genesis and ultimate single influence of a foreign policy decision, research like this, may infer and suggest a number of factors that not only influence particular decisions but also the predispositions of the decision makers themselves. This is what this research aims to do in its assessment of Presidents Duterte and Aquino III.

China-US competition in the South China Sea

The vast literature on the South China Sea takes the synonymous view that the conflict in the South China Sea has become about the dominance and exertion of power by both the United

States and China. The South China Sea has become an arena for China's pursuit of Hegemony and The United States defence of Hegemony. While there are a notable range of authors who are concerned with the escalation of tensions in the SCS between China and the other claimants, there are as many who sway toward the involvement of the US in the dispute and how that involvement accounts for rising tensions (Sun Yun 2012). In contrast to the belief that the involvement of the US raises tensions in the SCS, there is also a wide body of thought that focuses on the role of the US as a mediator responsible for the promotion of peaceful developments in the relations between claimants (Dirmeikis, 2018). Bouchat (2014) edges as far as maintaining that the United States must stay actively engaged in the SCS or risk losing its long-held influence in Southeast Asia.

Ebonine (2016) holds the view that China's aggressive drive to reclaim islands is motivated by its need to build military bases that will facilitate its rise to the apogee of global power status. In agreement are both Zhong (2013) and Tigreros (2019) who underscore the gaming that China is employing in its strategy of power transition.

Furthermore, Tigreros (2019) delves into how power transitions have historically led to war and thus he supports another widely held view in South China Sea literature that locates the South China Sea as a likely source of a war breaking out between China and the United States.

It is of interest to this study that the focal point of possible war in the SCS is that of US-China war when the United States is not regionally in the South China nor is it a claimant in the dispute. This betrays the emphasis or unequal privileging of powerful states in conflict situations by authors and researchers.

This US-China centric literary cannon means that smaller states in the dispute do not receive the same research dedication and thus their modalities of power assertion in the dispute go largely unresearched.

All the above contributions to literature have been important in defining the scope of this research and identifying the gap in addressing the dominant China/US dichotomy in literature on the South China Sea.

Philippines in the SCS

The Philippines have always been a dominant claimant in the SCS, starting from the aforementioned United Nations claim in 1946 to the resultant occupation of 5 Spratly island land parcels in 1970 (Dirmeikis 2018).

Literature on the Philippines as the main subject of enquiry is important. There is evidence of Philippine power demonstration in literature through the addressing of the 2013 UNCLOS Permanent Court of Arbitration case as a bold move by the Philippines (Liu 2016). The Philippines also renamed the SCS as the “West Philippine Sea in 2013 (Dizon,2013) and passed the Armed Forces of the Philippines (AFP) Modernization act in 2012. While the AFP act is expressly directed towards a ‘minimum credible defense posture’ that will address the upgrading of its coastguard vessels and increase its monitoring capabilities in the SCS, there is still scepticism on the Philippines ability to maintain this level of deterrence (Ortouse, 2013). Even with these notable contributions to exerting state power, the Philippines is repeatedly represented and accounted for in their role of contesting power in the SCS from a weak power perspective (Tigreros 2019, Zhong 2013, Ortouse 2013 and Ebonine 2016).

Energy and Food Security

In the rising of China and US power interests in the SCS, a further theme of energy security in the literature is dominant (Ruscheinski, 1991 and Smahlikova 2016). China’s rapid economic growth necessitated a rapid increase in its energy consumption and thus as it continues to rise, so do its energy needs.

It is not surprising that the SCS tensions have been ongoing for decades when the considerations of its natural resource wealth are made. Rowan (2005) had predicted that by 2025 Asia would be consuming 25 million barrels of oil daily to keep its economic engine running. While there is no definite figure confirming the reserves of natural gas in the South China Sea, China estimates the Spratly islands alone contain about 900 trillion cubic feet of natural gas (Dirmeikis, 2018).

The SCS is also the source of one third of the world’s biodiversity. It is a key source for the livelihood and nutrition for local fishers and approximately 300 million people living along the coastlines of the SCS whose primary protein source comes from the sea (Smahlikova 2016, Bateman and Emmers 2008 and Kraska 2015). As the population grows and the effects of climate change increase, demand for the seafood will increase and the likelihood of escalated

tensions will rise says Kraska (2015) who also notes that the dimension of food security in the SCS is often ignored. The observation made by Kraska on the lost dimension of food security is a gap noted by this research although it is not the focus of this research. The Philippines does however form a major part of the populous that will be impacted by threats to diminishing food security.

Research Methodology

Research Site

The geographical area of study is the marginal sea of the Western Pacific Ocean bounded to the north by the shores of South China and in the west by the Indochinese Peninsula and in the east by the islands of Taiwan.

Comparative- Historical Case Study

For research to be sound it needs to be conducted using systematic tools that are structured to find, collect, analyse and interpret information. Care should be taken to apply the correct methodology best suited to the type of enquiry the research is concerned with.

Without the appropriate research design which works as a systematic plan outlining the study, the researcher's methods of compilation and detailing how the study will arrive at its conclusions, the resultant research findings may be simply dismissed as guesswork.

Qualitative research design in the social sciences is made complex by the fact that many phenomena in the field of social science are often a result of equifinality thus making the necessary or sufficient conditions required in a controlled comparative study difficult (George and Bennett, 2005). It is in this regard that Charles Ragin, a specialist on the comparative research method, cautions against studies that adopt a mechanical application of Mill's methods of comparative analysis which does not adequately account for the possible plurality of causes (Ragin in Alexander, George and Bennett, 2005). Limitations notwithstanding, comparative historical analysis does provide a valuable check and anchor for theoretical speculation and the unravelling of historical narratives and was thus adopted for this research design.

To overcome the limitations and difficulties of applying this method in its strictest logic to the study at hand a supplementation with process tracing is adopted. The result is a research design adopting a fine-grained historical analysis that compares, through process tracing, the foreign

policy approach of two successive administrations in the Philippines and their outcomes with China in the South China Sea dispute.

In historical analysis research, fine grained interrogation of the relationship between historical occurrences and evidence is undertaken with the aim to identify either a correlation or causation between an event or series of events and the resultant outcome. This historical analysis will furthermore compare the administrations of Aquino and Duterte as part of the comparative aspect of this research enquiry to draw out any similarities and or differences which may correlate with the observed variations in foreign policy.

The data collection methods employed in this research are primarily documentary search. Lamont (2015), states the importance of triangulating qualitative data collection techniques in order to cross reference findings and guard against misinforming one's readers on the basis of a research source that was intentional in misleading the research. Thus, information obtained from a combination of primary and secondary source documents such as state policy documents, archived press statements and public addresses made by Philippines, Chinese and US government officials, media reports and articles, peer reviewed journal articles and books on the Philippines, China, and the South China Sea form the various empirical research instruments that are utilised in this study.

Patton (1980:67) opined that “qualitative methods are often used for policy and programme evaluation since they answer certain important questions more effectively than the quantitative approach.”

Thus, qualitative research techniques will be more appropriate in answering why and how the Foreign policy of the Philippines is changing and additionally why the control of SCS remains a continuous international issue.

The most common methodologies of policy analysis include program evaluation, cost-benefit analysis, single-subject or multiple case studies, surveys, secondary data analysis using either qualitative, quantitative or mixed methods. Thus, research involving the analysis of policy defies any standardised typology (Einbinder, 2019).

Gerring (2007:19) defines the case study as a spatially delimited phenomenon observed at a single point in time or over some period of time. Within the comparative-historical analysis, the country is the most common unit of analysis with most works examining country level phenomena.

Comparative-Historical methods of research have been widely used in the social sciences from as early as the fourteenth century and the evolution of these methods of social scientific enquiry have over centuries been pushed by capitalism, industrialization, state building, and imperialism's provocation of social change (Lange 2013). Comparative-historical analysis continues to be the most apt for exploring issues of state building, democratization, regime change, capitalist development, imperialism and nationalism. All the aforementioned impact and are impacted by the foreign policy, bilateral and multilateral relations between countries. Comparative-historical methods also enjoy a comparative advantage over statistical, experimental and ethnographic methods in the analysis of major social institutions and structures and their transformation over time (Lange 2013). Comparative historical methods are also the preferred choice of enquiry where there is not sufficient access to the objects or subjects of the study and where there is no control over the variables in the study (Yin 1989). This makes the choice of method appropriate for this study due to the limited access to policymakers and the inability to control the variables of the study.

Historical-comparative analysis, as methodologically applied by Max Weber, further allows the researcher to take an enquiry approach that explores rigorously the mutual influence of 'the individual and structure' in shaping Philippines' Foreign policy under the administrations of the two president's whose terms the research is probing.

The case study will be treated as a within case analysis with the Philippines as the case. The within case analysis will examine the foreign policy traced over the period of time ranging from 2010 to 2020 under two different administrations.

The central themes explored within this case will be the Philippines-China Relations, Philippines-US Relations, Key events in the SCS and the presidential personality enquiry during each of the two terms.

The three-step approach adopted in secondary within case research such these often entails the gathering of evidence about the phenomenon under analysis, analysing evidence with the aim of gaining insight of the characteristics and determinants of the phenomenon and finally the presentation of the synthesised results (Lange 2013).

Within case analysis appreciates the equifinality of determinants and thus provides an avenue for the examining of complex phenomenon with complex determinants.

Data Collection Method

Documentary Sources

This study will use documentary search in gathering information relevant to the study. The documents used will be a conjunction of primary source documents and secondary source documents. Documents studied include international politics and law books, magazines, newspapers, journals, articles, conference papers and internet sources. The use of documentary search is crucial in understanding the historical background of the conflict over the control and the use of the SCS as well as understanding the motivations of major players such as China and the US. Official documents published by the governments of all claimant states and other powers with strategic interests in the matter will be scrutinised and these will include policy statements and speech transcripts by Foreign officials and Presidents. Transcripts from the PCA case between the Philippines and China also form an integral part of the research data.

Media reports also constitute a valuable research resource in this study. Often referred to as the fourth estate, the media provide basic background information and daily accounts on topics and events of interest in our chosen research. Reports by major global networks and newspapers shall therefore be incorporated for the purposes of such enquiry as well as local news sources from the Philippines.

The study remains cognizant of the possibility of a particular ideological and political bias in the reporting of the chosen media sources and such possibility is taken into account and shall be carefully observed, scrutinized and cross checked to avoid bias affecting the validity of the study.

Advantages and Disadvantages

According to Lamont (2015) archival document-based research is the most commonly used strategy by International Relations research students. Attempts to study international conflict require the engagement of documentary research and such making this research method well suited to this study.

Documentary sources while highly and vastly used in qualitative data collection, present numerous limitations for the researcher. The first disadvantage is the limitation of access to the full repository of documents and archives of any organization (Lamont 2015). This is particularly true in the complex nature and dynamics of States and the classified information

thereof. Documentary sources are also not sufficient in carving out the aspects of social interaction that underpin or influence the information contained therein and thus the decision-making process in the cases examined may not be easily illuminated. The limitations mentioned above are often overcome by conducting interviews. In agreement are Greenstein et al (2003) who describe primary, in-depth interviews as the ideal tool for establishing meaning from the perspective of the insider in any situation and establishing the motivations behind the actions of actors. However, given the nature of this research; the geographical location of the cases, the limited access to sitting heads of state and the limited access to state officials for interviews, documented interview transcripts where possible shall be used to bridge this gap.

Another limitation of this study emanates from the susceptibility of researcher bias that exists in qualitative studies where no or limited numerical data exists from which to make findings. Lamont (2015) proposes that the gathering of qualitative data should be done through a process of triangulation in order to cross-reference data findings. Thus, in keeping with Lamont's (2015) recommendation, a strong qualitative study should have a mix of in-depth interviews, media reports and official government documents.

Validity and Reliability

Validity is concerned with the soundness and effectiveness of the measurement instrument or test. It deals with finding the degree to which instruments used are effective in providing the relevant information as sought through their use. The limitation of control over the actors in the Philippines administration and the SCS dispute meant that experimental research would be poorly suited to this research project.

It is impossible to exercise control over the foreign policy decision making process in the Philippines and the decision-making process of China and the Philippines in relation to the SCS. Discourse on the SCS is often heavily laden with emotions as it pertains to state sovereignty and as such Bill Hayton has noted that "unreliable evidence is clouding the international discourse of the South China Sea dispute (Hayton in Vuving 2016)". Hence it remains paramount to the integrity of this and any study to maintain impartiality in producing evidence and selection of sources.

Data collection in this research is validated by the researcher's use of peer reviewed journals, government documents, interview transcriptions and reputable news and publication outlet reporting. The data collection methods ensure that the integrity of the data is deemed sound

and reliable. White (2000) postulates that researching the same topic using a number of different techniques or sources is complimentary with the outcome resulting in a more thorough understanding of the problem under investigation.

Content validity was used to find the accuracy with which an instrument measures the factors of situations under study that cover all objectives and research questions. The aim is to weigh the depth of the documentary sources consulted and ascertain their ability to elicit the required information.

CHAPTER THREE

PRESIDENTIAL ENQUIRY: PERSONALITY, CHARACTER AND EXECUTIVE POWER

3.0 Introduction

The first task of the discussion and analysis section of this paper is a presidential enquiry, which puts the characteristics and historical policy stances of Presidents Aquino III and Duterte under examination in an aim to assess whether these have had a significant bearing or overriding impact on the makings of their foreign policies during their presidential terms.

It is important to note that in 2014, Thompson noted that despite the Philippine presidency being the oldest in Asia, it had up until that point, been the subject of very limited social science enquiry (Thompson, 2014). Thompson (2014) argued that while there had been many journalistic accounts of Philippine presidents, there weren't enough studies that viewed the presidency as an institution and more so one in which as its executive, the president wields extraordinary power. This study analyses the presidents' actions and rhetoric from the perspective of Thompson which recognises the immense power those actions and statements have in directing foreign policy. The aim of conducting this analysing in this manner is to highlight the possible impact that a presidential candidate has on the ability to change the narrative and course of a conflict between states.

In larger states with older democracies and thus older and more complex legislative and constitutional checks, such as that of the United States of America, the bold moves and characteristics of a president may not have as much sway. However, because this paper is geared to be a thought provoker for imagining the possible power expression of smaller developing states whose democratic dispensations and the laws that govern them may very well resemble those of the Philippines, it is imperative that this paper does not continue the erstwhile tradition of neglecting the presidency as an institution worthy of enquiry and significant impact when assessing foreign policy.

3.1 The Politics Presidents Make

A study conducted on the Philippines by authors Rose-Ackerman and Desierto in 2011 concluded that the Philippines exhibits hyper presidency after observations that in the Philippines a president has no equal and thus no effective opposition to his or her aggregate

execute power. “The president controls the bureaucracy and policy execution” (Rose-Ackerman and Desierto in Thompson 2014:434). Thompson aptly titled his work *The Politics Philippine Presidents Make* as presidential leadership has an impact on the political system, not only in their countries but in the world at large. As will later be discussed in this chapter, the Philippines PCA case under president Aquino’s leadership has not only made domestic history but international history in its ‘David vs Goliath’ international law victory.

Generally Philippine presidents are considered “predominant leaders” who have the power and authority to make critical decisions on the country’s external affairs. Like in many constitutional Republics noted in literature, a President with constitutional authority, has wide political latitude to make quicker and more decisive actions concerning the country’s external affairs. Zha (2015), in a comparative study of the Philippines and Thailand, identifies economic and constitutional conditions within the Philippines that foster the thriving of the personalization of foreign policy and the discontinuities that have characterized Philippine foreign policy dating back to the presidential terms of President Gloria Macapagal Arroyo, Aquino and now Duterte. Zha (2015) contributes that the limited economic dependence of the Philippines on the Republic of China and the limitation of the presidential term to one year only, leaves more room for the manipulation of presidents in pursuance of their own interests and likewise discourages the zeal to continue with the predecessor’s policy objectives in an environment where each successive administration is legitimized by its ability to consolidate its own policies (Tran 2019).

There are numerous and seminal historical studies such as those conducted by Hermann (1990), Holsti (1967) and Breuning (2007) which together broadly examine the influence of leaders and in particular presidents. In greater alignment with this paper’s enquiry is a more recent one from Doeser (2013), which discusses the degree to which leader driven foreign policy change can result in significant outcomes that impact the landscape of territorial disputes.

In his article ‘Leader-driven foreign policy change: Denmark and the Persian Gulf War’ Doeser (2013) highlights how an individual decision maker influences foreign policy outcomes.

Borrowing from Doeser’s (2013) thinking which takes the view that decision makers have the ability to change policy if they hold power, have the energy and conviction for policy change or when they act during an opportune window created by a crisis situation, this research takes the deep dive into Aquino and Duterte to assess how those factors influenced their foreign policy. “The more authority (or personal control) heads of state have over foreign policy, the

more likely their personal characteristics are to affect foreign policy behaviour (Hermann 1976:328).”

Alden and Aran (2012:19) emphasise the importance of focusing on the minds of decision makers, their powerful effect on the framing of particular foreign policy issues and the subsequent impact on the formulation and selection of policy options when assessing leaders. Getting ‘inside’ the minds of leaders to understand their attitudes and beliefs with respect to a particular issue is a daunting feat. This is the reason why Wilkenfeld et al. (1980) concludes that this “psychological domain is the most elusive and least amenable to systematic empirical analysis.” Yet despite the difficulties of direct observation, it is still possible to obtain data and make assessments on those motivations and characteristics of Aquino and Duterte which lead them to the foreign policy decisions undertaken by themselves and their administrations. Documentary and historical analysis utilized in this study, which include analysing speeches and public statements, drawing insights from public interviews or biographies is of help in this regard as it allows the study to make inferences about traits and motivations from behaviour and evaluation of public perception, or relating previous foreign policy decisions and actions to suggest a particular inclination.

Margaret Hermann (1975) inspired the approach of developing a rigorous leader assessment at a distance through a technique derived from a huge collection of path-breaking research that explored how leaders shape and affect foreign policy. In a collective study Hermann M.G, Preston, Korany and Shaw (2001) determined that authoritative leaders make very powerful foreign policy decision units. The authors however qualify that presidential authority does not automatically count as a measure for predominant leadership making foreign policy decisions. However constitutional, legal or general practice conditions which ascribe unrivalled hierarchy to a leader and the existence of factors such as the threat of the foreign policy problem to the well-being of the regime provide a catalyst to presidential authority being used as a tool for foreign policy determination.

The South China Sea dispute is a continuous threat and crisis that every regime, including those of Aquino and Duterte have had to deal with and thus creating the conditions for the presidents to act as predominant leaders in the foreign policy decisions and direction in matters related to the SCS dispute.

3.2 Influence of domestic constituents on Foreign Policy

In a study conducted by Bennett and Resnick, similar to various preceding studies by authors such as Berelson, Lazarsfeld and McPhee, the authors identified a general lack of knowledge and care about politicians and politics in general by the civilian population (Cassinio, Taber and Lodge 2007). In their assessment of American voters all the abovementioned authors pondered on the ability of constituents who did not know about or care for politics to create a responsive and effective democracy (Cassinio, Taber and Lodge 2007). The success of representative democracy is contingent on citizens' ability to form opinions about presidential candidates, their respective policies and their ability to turn policies and assertions into action. In contrast to Bennett and Resnick; Cassinio, Taber and Lodge 2007 argued that citizens do in fact have public opinion even if at times the expression of such opinion isn't overt in polling systems. "However, humble their location in the political process, whether they seek out or receive unsolicited information about candidates, parties and issues, individual citizens interpret political information, evaluate it and integrate it into their political attitudes and beliefs (Cassinio, Taber and Lodge 2007:206). It follows thus that this paper would appreciate that the public opinion of the Philippines constituencies influenced Aquino and Duterte's policy formation. Audience costs associated with foreign policy stances would have undeniably played a role in the foreign policies adopted by each president. It is important to note however that the measures which collate as public opinion are not always examinable in a study such as this. The attitudes and beliefs which form public opinion include examinable events such as polls, answering surveys and casting a ballot and events that are more difficult to examine; such as talking to friends.

Tomz (2007) delves into domestic audience costs in international relations by assessing the domestic price a leader would pay for making a foreign threat and then backing down from that threat. Tomz (2007) further elaborates that the more politically active the citizens are and the higher the level of escalation, the greater the audience costs to the leader in question. Audience costs are borne from the citizens' concern about the international reputation of both their country and the leader (Tomz, 2007). In his study Tomz also finds that audience costs are likely to be higher for a president who makes commitments and doesn't follow through on them than a leader who does not make any commitments to begin with.

Weeks, (2008) who conversely looks at domestic audience costs in autocratic states and finds that non democratic regimes are also vulnerable to audience costs through their need for

support from domestic elites. Weeks' (2008) position is contrary to a widely held assumption that autocracies are immune to domestic audience costs as autocrats do not have the same accountability as democratically elected presidents. Furthermore, much like with democracies, autocracies still desire to generate international credibility and avoid sanctions where possible. Weeks determines the following criteria for assessing a leader's ability to generate domestic political audience costs; the means and incentives of the domestic audience to coordinate to punish the leader, a view held by domestic audience that conceding after making a threat is a weakness in leadership and lastly that outsiders must be able to observe the possibility of domestic sanctions for backing down from an action in conflict (Weeks, 2008).

In our study, we find that both presidents Aquino and Duterte made commitments and threats albeit of different natures and with different allies in so far as their foreign policies with both China and the United States in relation to outcomes in the South China Sea dispute. President Aquino committed to bring China to account for its aggressive actions in the South China Sea and President Duterte made a commitment to strengthen relations with China despite the two countries' dispute with regards to the South China Sea. President Aquino's audience costs appear simpler to elucidate in that he came into his presidency with the promise to take China on for its aggression and to make the South China Sea foremost in his foreign policy directive and remained consistent in his resolve which culminated in the PCA case. Taking into account the criteria mentioned by the scholars cited above, Aquino's withdrawal or renegeing from the PCA and his crusade against China would have produced an immense audience cost for him following a presidential campaign premised, amongst other political and economic goals, on making advances in the SCS dispute.

For President Duterte, the audience costs seem more convoluted and his wavering foreign policy stances and utterances may support an argument that waning political support locally and pressure from opposition within the country influence his fluctuations in foreign policy stance more than they did president Aquino. The Philippine population has a much more favourable view of the U.S than it does of China. The fact that the Philippines military has worked for many years with the U.S to counter Beijing's expansive territorial claims in the South China Sea has contributed greatly to the popular pro U.S view of the Filipinos (Calonzo, 2020). President Duterte made "a very unpopular decision" when he decided to formally end the US-Philippines alliance; one which International Studies lecturer Rommel Banlaoi viewed as Duterte's way of making concessions and bargaining for a better deal with the U.S (Banlaoi in Calonzo, 2020). Thus, while President Duterte has made commitments to China, the lack of

local support for China within the Philippines may explain President Duterte's complex dealings with the US in so far as a foreign policy that appears to be riddled with inconsistencies and unmet threats for the most part of his presidency. Likewise, his popularity within the Philippines could have bolstered his bold move to take the risk of an unpopular stance with regards to the increased relations with China. President Duterte appears to be walking a tightrope that hangs on the balance of utilising his favour within the country to push the envelope by being pro-China but equally maintaining some relations, albeit contentiously, with the US in an effort to maintain his favour with his pro-US constituents.

3.3 Aquino III: A New Dawn

President Benigno Aquino III entered the Philippine Presidential race in 2009, however his political ties and affiliations date as far back his father, Benigno Aquino Jr, who was an opposition leader said to be assassinated by former President Ferdinand Marcos in 1983 (Aquino, 2014). His mother, Corazon Aquino, proceeded to be elected as the first female democratic president of the Philippines in 1986 subsequent to the removal of Marcos (Aquino, 2014). Often called by the nickname Noy, former president Benigno Aquino III is considered to be from political dynasty in the Philippines. Aquino III's parents were active opposition stalwarts against the dictatorship of President Marcos and thus it comes as no surprise that he would later become a leader and president with a staunch stance against the corruption of the patronage state under his predecessor, President Gloria Macapagal- Arroyo. It is equally of no wonder that he would fight relentlessly against what he perceived to be the strongarming and coercive acts of China against Philippine's claims in the SCS.

In his Resume, the Philippines Senate state that President Aquino III always viewed politics as a necessary vehicle for change; a perspective they attribute to the legacy his mother and father left him with. Twelve years before his presidency, President Aquino III would take a notable step towards the presidential seat when he ran for a seat in the House of Representatives. He won the seat and here he served as Congressman of the 2nd District of Tarlac until 2007. (Senate of the Philippines, 2008). In May 2007 he ran for Senator and won, placing 6th in the National Elections. This was on the backdrop of having become Deputy House Speaker of Luzon in 2004 and subsequently joining the Liberal Party as an active member calling for the resignation of then President Gloria Macapagal-Arroyo. In taking up the role at the Liberal Party, he gave up his role as Deputy Speaker. In his view it was easier to give up his role as Deputy Speaker

than to abandon his duty to hold accountable those who do wrong (Senate of the Philippines, 2008).

Aquino's entire political career was one characterised by his commitment to the rule of law. In his nine years as Congressman at the Lower House, President Aquino focused on fiscalizing role of a senator (Senate of the Philippines, 2008). He spent his tenure in the Lower House crafting laws that would help create opportunities rather than impose burdens on those that are already disadvantaged (Senate of the Philippines, 2008).

In his critique of the simplistic presidential-style approach which correlates the character of a president and his or her success and effectiveness, Thompson (2014) recollects the challenges Aquino III's mother had in her presidency. He recalls how Corazon Aquino's presidency was an embattled one with her continuously trying to fend off those who were trying to overthrow her administration and thus resulting in a largely reactive governance style (Thompson 2014). It is possible that Thompson's findings echo Aquino III's own observations and critical review of his mother's presidential tenure and may have very well been a lesson learnt from history and thus influencing the proactive and assertive governance style of president Aquino III. His father Begnino Aquino Jr was also influential in his road to presidency. Aquino recollected a pivotal moment in his career shortly after running for Senate and winning. He recollected a letter received from Aquino Begnino Jr. many years prior to the senate win and Aquino III rising political career where his father said "Son, the ball is now in your hands... There is no greater nation than our Motherland. No greater people than out own. Serve them with all your heart, with all your might and with all your strength." (Senate, 2021). These parting words from his father would have undoubtedly left an indelible mark on him and his approach and treatment of his political career from then on and this is made evident in the manner in which he carried out his presidential term. His mother and father were evidently responsible, to a large extent for some of his political influence and inclinations.

Having come into the presidential seat after an embattled Arroyo government which had adopted an equal balancing strategy towards both China and the United States and had accepted major infrastructural investments from the Chinese government, President Aquino was set to undertake a different strategy. He inherited as a legacy of the Arroyo administration, a state riddled with corruption scandals and constitutional anomalies as officials took advantage of Arroyo's equi-balancing strategy and the projects that arose out of the sixty-five bilateral agreement the Philippines had with China. (Heydarian 2016 and Tran 2019).

Adamant to restore the favour of the government with its constituents, Aquino's campaign and presidential term was thus focused on anti-corruption (Heydarian, 2016). Good governance became the hallmark of his presidency as he became known for his honesty and transparency during his presidential term (Tran 2019). His guiding principle was that 'Good governance is good economics (Aquino, 2014:62).

Of his Third State of the Nation address on the 23rd of July 2012, it is said that Aquino III managed to not only show his accomplishments in office for the preceding year but demonstrated the strides he had made in completely changing the way in which the politics of the state and governance were conducted (Abinales, 2013). He successfully implemented political and administrative reforms which cut wasteful expenditure and held officials accountable to their actions (Abinales, 2013). In the same year his presidential approval rating had shot up by 11 percent from the previous year to a record high 78 percent (Abinales, 2013). He was lauded as a man committed to institutional reform and the upholding of the constitution in the administration of the state.

His commitment to the provisions of the constitution was illuminated in an interview where when asked about his desire to change the presidential term limit to allow himself to run for president again, President Aquino's response was that while a change in the constitution would allow him to run for a second term and if elected offer him the opportunity of more time to effect the changes he promised his constituents, he also reinforced his commitment to working within the constitutional framework. He further added that his parents who fought for constitutional reform taught him that training a successor to continue the good work carried out by one's administration was also a measure of success (Aquino, 2014). One need not break or amend the constitution to ensure continuity of policy and good governance, instead work within the ambits of law to ensure a sustainable good governance legacy.

'According to the 1987 Constitution of the Philippines, also referred to as the *Freedom Constitution*, the state disregards war as a matter of national policy, enshrines international law as part and parcel of the national laws, and adheres to principles such as peace equality and justice.' (Regilme Jr. and Untalan 2015) Given President Aquino's disposition and respect for upholding the rule of law, deciding to take the grievances against China to the Permanent Court of Arbitration demonstrates his commitment to a governance and foreign policy style that upholds the constitution of the Philippines.

3.3 From Mayor to President: Duterte the “Strongman”

Born March 28, 1945 in Maasin Philippines to a father who was a governor of Davao and mother who was a prominent community activist, Rodrigo Roa Duterte was exposed to politics from a very young age (Ray, 2021). Despite coming from a middle-class family and a life of privilege, Duterte had a troublesome childhood with his brother Emmanuel reporting that Duterte was a well-known gun wielding street brawler by the age of fifteen (Rambaran, 2020).

Despite his tumultuous teen years, he would later attain political science and law degrees and ascend the political ranks from prosecutor, vice Mayor and then Mayor of Davao City before attaining the chief political office in the country as the incumbent president of the Philippines (Rambaran, 2020 and Ray 2021). Prior to his presidency Duterte had served a cumulative four terms as Mayor of Davao City, spanning a period of two decades.

Breuning (1995 and 2005) whose core focus is studying leaders’ personalities, motivations and their perceptions as a means to understand their policy choices says while factors such as domestic politics and the state’s power present constraining factors and act as checks upon the otherwise unfettered psychological and cognitive factors of a decision maker, observing a leaders’ rhetoric in line with the commensurate action of that leader allows for a distinction between mere rhetoric and leader driven policy behaviour. Where a congruence exists between long standing leader rhetoric and the resultant policies, linkage can be made between the leader’s personality and publicly made convictions and the resultant policy outcomes or changes aligned therewith.

Dubbed the ‘strongman’ of the Philippines, he gained popularity as the mayor of Davao where his commitment to fighting crime, corruption and militancy resulted in Davao’s rise to one of the safest cities in the Philippines (BBC, 2019). On many occasions the then mayor of Davao would make public proclamations that revealed his energy and conviction towards fighting the war on drugs and albeit controversial at times his speeches and public appearances consistently underscored this resolve. The hallmark of President Duterte's early years as president has been a relentless brutal crackdown on drug dealers and users. He has urged citizens and the police to conduct extra-judicial killings of suspects and thousands have died in the anti-drugs campaign. Noting that there are three million addicts in Philippines, President Duterte has said he would be *"happy to slaughter them"* to keep his country free of drugs (Duterte, 2016 in RT World News).

Duterte's governance tactics were not always positively received internationally. While his hard stance on crime was welcomed by his constituents who elected him into office, international organisations Amnesty International and Human Rights watch labelled him for what they claim to be more than a thousand extra judicial killings in the city under his leadership as mayor (Ray,2021).Unperturbed by the killings and the allegations, Duterte outspokenly embraced the death squad initiated murders, leading many to speculate that the death squad was acting under the premise of implied official sanction from mayor's office (Ray, 2021). Successfully earning himself the titles 'Duterte Harry' (a mnemonic for Dirty Harry) and 'the Punisher', Duterte's 'guns, goons and gold' strategy garnered much popularity in a druglord stricken Philippines.

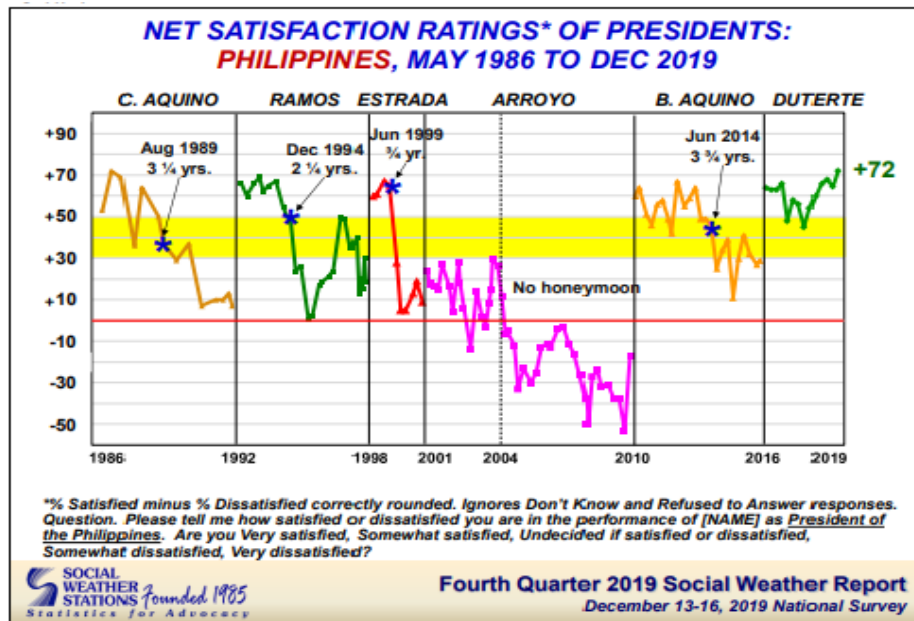
Pablo (2016) chronicles how drug cartels gained prominence in the Philippines, with the *Dangerous Drug Board* 2016 report reporting an uptick in Philippine drug consumption and production for the period 1994-2004. A dominant problem coupled with failing neoliberal policies that saw the three decades long stagnation of the Philippine industrial sector, prompted the rise of Duterte's 'Radical Change' doctrine (Pablo, 2016). "Duterte sent a powerful campaign message that resonated well with the electorate: the full restoration of law and order through suppression of criminality and drugs (Pablo 2016:7") and his political track record as mayor aligned with his rhetoric.

His presidential campaign slogan 'Change is Coming' would prove to have not only meant change was coming in the domestic politics scene but included the change that he aimed to make in the foreign policy of the Philippines, particularly in relation to China. Deinla and Dressel (2019) say the changes that have been introduced by the Duterte administration 'seem unusually deep and far reaching- suggesting a concerted attempt to reorganize, or indeed replace, the liberal state-society relations that have characterised the Philippines since the 1986 transition to democracy. Fearing that he is driving the Philippines towards illiberalism, the authors note how violence has dominated his presidency. He has been accused of repeatedly attacking independent constitutional bodies and his actions have put a spotlight on the politicization of the judiciary and the resultant impact of this on the constitutional principles and the rule of law. Tran (2019:635) contributes to say that 'aside from China's economic power, President Rodrigo Duterte's personal preference is a determinant that has repaired Philippines-China relations and brought Manila close to Beijing' yet again. He further adds that President Duterte's popularity has allowed him to promote close ties with China despite the existing tensions in the South China Sea (Tran, 2019).

The conciliatory approach towards China under the current Duterte's Presidency remains consistent throughout his term. 'Even though Duterte's seemingly soft stance toward China over the territorial integrity of the Philippines in the South China Sea has caused considerable consternation among politicians, as of September 2019, fewer than 3 percent of Filipinos rated "defending the integrity of the Philippines' territory" as the most important problem facing the country' (Kenny, 2020; 89).

In 2016, as an incoming president he had scored the highest trust and approval rating among the four most recent Philippine presidents (Tran, 2019). Exactly a year into office, Duterte enjoyed high approval ratings from his constituents with +66 percent approval in the second quarter of 2017, denoting as 'very good' on the rating scale. Followed by a sharp decline in popularity in the third quarter of 2017 to the second quarter of 2018, his popularity ratings began to rise steadily until he acquired a record high rating approval of +72 in the fourth quarter of 2019 denoted as 'excellent' in the Social Weather Stations Survey (Pablo 2016, CNN 2021 and SWS 2019). Four years later, it would appear this popularity has not convinced analysts that Duterte has made any significant changes to positively affect the change he promised his constituents. Regencia (2020) reporting for Aljazeera News says "It has been four years since Rodrigo Duterte took his oath as president of the Philippines, railing against the "erosion of faith and trust in government", while riding on a populist wave by promising "real change" and "transparency" to the country of more than 100 million people, but as he enters his last two years in office his leadership has proven hollow"

Chart 1



2019 Net Satisfaction Ratings of Presidents (Source SWS) [Social Weather Stations](https://www.sws.org.ph) | [Fourth Quarter 2019 Social Weather Survey: Pres. Duterte's Net Satisfaction at new record "Excellent" +72 \(sws.org.ph\)](https://www.sws.org.ph)

Chart 2

**NET SATISFACTION RATINGS* OF PRESIDENTS:
PHILIPPINES (page 2 of 2)**

ARROYO (cont)		ARROYO (cont)		B. AQUINO (cont)		DUTERTE	
	Net*		Net*		Net*		
Dec 05	-30	Dec 09	-38	Mar 13	+59	Sep 16	+64
Ave. 2005	-25	Ave. 2009	-35	Jun 13	+64	Dec 16	+63
Mar 06	-25	Mar 10	-53	Sep 13	+49	Ave. 2016	+64
Jun 06	-13	Jun 10	-17	Dec 13	+49	Mar 17	+63
Sep 06	-11	Ave. 2010	-35	Ave. 2013	+55	Jun 17	+66
Nov 06	-13	Ave. Arroyo	-7	Mar 14	+45	Sep 17	+48
Ave. 2006	-16			Jun 14	+25	Dec 17	+58
Feb 07	-4	Sep 10	+60	Sep 14	+34	Ave. 2017	+59
Jun 07	-3	Nov 10	+64	Dec 14	+39	Mar 18	+56
Sep 07	-11	Ave. 2010	+62	Ave. 2014	+36	Jun 18	+45
Dec 07	-16	Mar 11	+51	Mar 15	+11	Sep 18	+54
Ave. 2007	-9	Jun 11	+46	Jun 15	+30	Dec 18	+60
Mar 08	-26	Sep 11	+56	Sep 15	+41	Ave. 2018	+54
Jun 08	-38	Dec 11	+58	Dec 15	+32	Mar 19	+66
Jul 08	-50	Ave. 2011	+53	Ave. 2015	+29	Jun 19	+68
Sep 08	-27	Mar 12	+49	Apr 16	+27	Sep 19	+65
Dec 08	-24	May 12	+42	Jun 16	+29	Dec 19	+72
Ave. 2008	-33	Aug 12	+67	Ave. 2016	+28	Ave. 2019	+68
Feb 09	-32	Dec 12	+55	Ave. B. Aquino	+45		
Jun 09	-31	Ave. 2012	+53				
Sep 09	-38						

* Net ratings = % Satisfied minus % Dissatisfied correctly rounded.

Fourth Quarter 2019 Social Weather Report
December 13-16, 2019 National Survey

2019 Net Satisfaction Ratings of Presidents (Source SWS) [Social Weather Stations](https://www.sws.org.ph) | [Fourth Quarter 2019 Social Weather Survey: Pres. Duterte's Net Satisfaction at new record "Excellent" +72 \(sws.org.ph\)](https://www.sws.org.ph)

How different then were Duterte and Aquino's written and oral public proclamations, campaigns and speeches and how were these linked or different to the foreign policy directives adopted by the Philippines during their respective presidential terms?

Starting from the early days of his political career Duterte has been a robust politician who built his career on the backdrop and promise of being a hard liner against corruption and crime (BBC 2019). A man with a sharp tongue, he has over his political career come under fire for remarks deemed controversial and offensive (BBC 2019).

Less than four months into his Presidency, Duterte had already announced *his* separation from the United States and declared a realignment with China on the premise of an agreement with China to resolve the SCS dispute through talks (Blanchard, 2016). This engagement with China and public declaration marked a stark reversal of the foreign policy stance of his predecessor Aquino and marked the beginning of what many have termed Duterte's Pivot to China and the seemingly severing of 70 yearlong ties with the United States of America. Duterte used his popularity with his constituents to promote a China centric foreign policy and foster close ties with China despite the existing tensions in the South China Sea (Tran 2019).

Making numerous uses of the word "I" in his key address in Beijing in October 2016, Duterte remarked that he had realigned himself with the ideological flow of the Peoples Republic of China. During this same trip, Duterte's trade secretary announced that 13,5 billion U.S dollars in deals was tabled for signing by the two states. Duterte proclaimed his policy stance as one that promotes the independence of the Philippines from dependence on the Superpowers and one that will be solely determined by the will of the Philippines and not those of the contending superpowers (Heydarian 2017). In a different announcement, Philippines economic policymakers sought to reverse any ill effects Duterte's announcement may have had on the country's economic ties with the U.S by assuring all that the Philippines wished to maintain close ties with the United States (Blanchard,2016). In the five years of Duterte's tenure the oscillation between China and the US had led to his foreign policy being labelled 'a failed balancing act' and it is the misalignment of Duterte's public proclamations with those of his officials that not only riddles his foreign policy with confusion but also betrays Duterte's determination to drive foreign policy in a direction that is centred to his personality style despite the constraints of differing or dissenting voices within his cabinet ministry.

CHAPTER FOUR

SCS: PHILIPPINES RELATIONS WITH CHINA AND THE US DURING AQUINO AND DUTERTE ADMINISTRATIONS

4.0 Introduction

The foreign policies of presidents Aquino and Duterte's administration shall be the subject of enquiry in this chapter. The method of enquiry utilized is a close examination of the bilateral relationships of the Philippines with China and United States respectively during each presidential term in the period spanning 2010 to 2020. Key moments in the foreign policy of presidents Aquino's administration and Duterte respectively shall be teased out and the events surrounding the SCS dispute during the period examined to assess how they have impacted the foreign policy of the Philippines.

4.1 Brief Overview of the Influence of Historic Colonial Treatment on US-Philippines Relations

Relations between the Philippines and The United States of America have a long history dating back to the colonization of the Philippines by the United States. This complex relationship would undoubtedly affect and influence the views and foreign policy positions of the various democratic presidents of the Philippines. On July 4th, 1946, The United States of America made history in an unprecedented move to relinquish their possession of The Philippines as its colonial territory (Karnow 1989 in Doty 1993). The granting of Independence to the Philippines shone a new light on the evolving relationship between a former coloniser and its colonised state. The major sentiment was that the relationship between the two states had evolved to become one of partnership and equality as the Philippines had aptly demonstrated its ability for self-governance (Doty, 1993).

This period of positivity in the outlook of US-Philippines relations was however very short lived. Not long after granting the Philippines independence, the US began an interventionist approach in its relations with the Philippines, dwarfing the independence it had granted its former colonial state. The resultant relationship between the two would be a hierarchical one where the US was perceived to have granted itself a licence to diagnose, judge and prescribe the domestic political affairs of the Philippines (Doty, 1993). Doty (1993) in her analysis of the US-Philippines Relations in the 1950s, notably conceptualised that foreign policy as a

social construction seeks to place foreign policy practices and formulations as modus for creating a particular kind of international order consisting of various kinds of international identities; the basis of which is hierarchical. In her analysis of various foreign policy documents and literature around the counterinsurgency policy of the US towards the Philippines in the 50's, Doty (1993) analysed the language therein and found trends in the usage of language which inferred certain characteristics to each of the two states. Language of and from the United States was indicative of an authority figure. Words such as "world citizen", "moral obligations", "credit and influence" and "benign intentions" were common in US literature thus implying that the US viewed itself as hierarchically superior and in relation to the Philippines, more like a "father figure". Over the years the US entrenched itself, not just with the Philippines but throughout the world, as a firmly established country with a stable identity that conferred upon it an authority in the international arena.

Unlike with the United States, the language utilised in the period following the Philippines independence was less flattering. The language used in reference to the Philippines as assessed by Doty (1993) was from sources in Great Britain and the United States. The choice of language conversely conferred a status of child in the relations of the Philippines and the US. Language such as "inept and wasteful", "precocious children" and "a very hard people to deal with" was consistently used in relation to the Filipinos. Doty delves into a deep analysis in which she concludes that the use of language can and does explain the reasoning of the US in its Philippines Counter Insurgency Policy of the 1950s.

An awareness and understanding of the colonial and immediate post-colonial relationship between the US and The Philippines would be an influencing factor in any sitting Philippines Presidents policy and choice of engagement with the US, especially because the two countries continued to maintain close ties and alliances until President Duterte's term.

From engagement with Doty (1993) and Shafer (1988) literature and opinion on the post-colonial relationship between the two States, there are various stances that could be adopted by Filipino leaders and two of which are;

- 1) To view the United States as the "father figure" it painstakingly asserted itself to be in the earlier years of the Philippines independence. This stance would support the idea of the United States friendly use of a superior position to guide and help the Philippines. This stance is one which, as will be evident in the nature of the relationship as shown

in subsequent sections of the paper, was adopted by President Aquino III who kept a close alliance with the United States government throughout his term.

- 2) The Second stance could be that of an over bearing United States which purported the idea of being progressive when it relinquished its control of the Philippines but was nevertheless never respectful of the autonomy of the Philippines and thus interfered with its sovereignty when opportunity presented itself. A president holding this view would thus be very skeptical of the United States' alliance and may, like what is evident with President Duterte in the subsequent sections, decide to cut ties with the toxic "parent" figure.

It is thus imperative to understand that each of the two presidents' foreign policies have to be understood and analysed with an understanding and foregrounding of the historical colonial nature of US and Philippines relations.

4.2 Philippines and United States during Aquino III

The Philippines relations with the United States during President Aquino's term not only showed a continuity of the good alliance that Aquino's predecessor Arroyo had established, but further strengthened ties in a move that President Aquino described as a 'new juncture in our relations' (Aquino in Pennington, 2012). Unlike his predecessor, President Aquino had no desire to give primacy to trade and investment opportunities with China above the South China Sea dispute (Tran, 2019). He thus opted for a pro-US foreign policy that aligned the Philippines with the US Rebalance to Asia.

As Stephen Walt noted in his 1987 seminal work *The Origin of Alliances* that 'when confronted by a major security challenge, a state may balance by allying itself with other states against the potential threat (De Castro, 2014:144).' Thus, the United States became more attractive to president Aquino precisely for the promise it held in ensuring the Philippines maritime security against a stronger China under the MDT between the two states. In 2012, following a renewed heightening of tensions between China and the Philippines, President Aquino showed his intention to increase the US military's access to Philippine territory with the Enhanced Defense Cooperation Agreement (EDCA) that the US and Philippines entered into (Tran, 2019 see also Figure 3). President Obama hailed this security and military cooperation between the two states as a 'reminder to everybody that the United States considers itself, and is, a Pacific power' (Obama in Pennington, 2012).

In an expression of its commitment to enhancing the Philippines military capabilities and thus security amidst rising tensions with China in the SCS, the United States transferred two of its decommissioned coastguard ships to the Philippines (Lichauco de Leon, 2012). The Gregorio del Pilar formerly known as the USCG was the first of the donated ships to arrive in 2011 and became the biggest and newest Naval ship in the Philippines (Lichauco de Leon 2012 and Mangosing 2015). The US would continue donate a further two ships to the Philippines in 2015 as President Obama reiterated his '*ironclad commitment*' to the Philippines. (Mangosing, 2015). The Philippines National Coast Watch Center in Manila Harbour was also built utilising US donor funds in an effort to promote a Navy apparatus in the Philippines capable of detecting and thwarting off any threats (read China) to security and sovereignty in the SCS (Parameswaran, 2015). In 2011 alone, the US spent \$40 million on the Coast Watch Center to boost the Philippines military surveillance capabilities (De Castro, 2014).

De Castro (2014) and Murphy (2017) propose that Balancing is a cheaper and more viable defense strategy for a weaker state facing a stronger one as it enables the weaker state to pool its resources either with another great power or other weaker states through alliance formation. The Aquino administration utilised this balancing strategy to secure its much-needed naval ships and Watch Center at a lesser cost from its allied US. Such balancing strategies work in yielding benefits for all parties concerned. For the United States, its alliance with the Philippines helps it maintain its key strategic interest of balancing the power of Beijing in Southeast Asia and curbing China's accelerating rise to world Hegemon. The increased cooperation and alliance with the US also allowed the Philippines to leverage on the United States' other alliances. The Philippines under the Aquino administration thus also increased ties with other East Asian US alliance partners Japan and South Korea and also extended its ally leveraging strategy to include Australia. (De Castro, 2014).

The United States, having historically assumed the role of custodian of international peace and security, has continued to ensure that strengthening the security agenda in the South China Sea is at the top of its list. This could be done through various channels such as those of the ASEAN Regional Forum and East Asia Summit and by using its strategic allies in the region to spearhead such an agenda. As Washington also has national interests in the South China Sea plus strategic interests in working with China, ensuring that peace prevails in the region is a modality towards asserting itself in the region and the SCS.

As much as the United States has sought to maintain neutral grounds when it comes to the South China Sea and the sovereignty conflict, throughout the years it has become increasingly overt in its criticism of the forceful seizing of disputed features exhibited by China. This was evident in the ASEAN Regional Forum in July 2010 where the then Secretary of State, Hillary Clinton called out China's behaviour in the dispute:

“The United States supports a collaborative diplomatic process by all claimants for resolving the various territorial disputes without coercion. We oppose the use or threat of force by any claimant. While the United States does not take sides on the competing territorial disputes over land features in the South China Sea, we believe claimants should pursue their territorial claims [...] and rights to maritime space in accordance with the UN convention on the law of the sea. Consistent with customary international law, legitimate claims to maritime space in the South China Sea should be derived solely from legitimate claims to land features.” (US Department of State 2010)

However, ‘despite the increased US support for the Philippines in the South China Sea disputes, the US government has not strongly committed to the defense of the Philippines over the disputes... In response to a question about a hypothetical Chinese occupation of one of the disputed islands, Greenert said “[o]f course, we would help you,” “[i] don’t know what that help would be specifically. I mean, we have an obligation because we have a treaty but I don’t know in what capacity that help is” (Mogato 2014, Kim, 2016; 19 and Villanueva 2014).

What is evident from the US governments statements, and again something which may explain the oscillation of the Philippines reliance on the U.S in recent years, is that the United States has been quite consistent in its uncertainty with regards to the level of commitment it would give to the Philippines in the event of a full-scale conflict. The lack of clarity and consistency for U.S Philippine military support is also evident when tracing back the actions of the U.S. under the administrations of the two US presidents who presided over the U.S during the period under enquiry. Under President Obama's administration the U.S rebalance to Asia strategy gave President Aquino the support for his confrontational foreign policy towards China. During his election campaign and early days in office, which coincided with the coming into office of President Duterte, President Trump's rhetoric alluded to a break in the pivot to Asia that had been the core of his predecessor Obama's Asia strategy.

When it comes to the security alliance that the United States government obliged itself to give to the Philippines in times of national threat, public opinion is less optimistic about the US

ability to commit than the government of the US is. This is due to what is perceived as the United States' strategic ambiguity when it comes to the application of the alliance and Mutual Defense Treaty signed with the Philippines on the terms of protection against external threat. Taking into account both presidencies commitment to Asia, Bisley (2020) characterises the US policy of Asia as being stuck somewhere between inertia and neglect.

4.3 Philippines and U.S during Duterte

The level of uncertainty surrounding the US commitment and courage to take up arms in aid of the Philippines defense against China may have prompted Duterte's antagonism towards the US and encouraged his flirting with China. However, it warrants mentioning that when President Duterte came into power in 2016 and made his speech at the Philippine-Chinese trade Forum on October 20th of the same year, president Obama was still in office and his pivot to Asia was still an active US policy and thus still provided the latitude of advancing bilateral diplomatic ties and negotiations for the two allied states. In his October 2016 address however, President Duterte chose a different foreign policy agenda and declared the Philippines departure from a strong allied relationship with the US:

"Your honours, in this venue, I announce my separation from the United States...both in military but economics also (Mc Coy 2016)."

This came as no surprise after President Obamas criticism of the extra judicial killings during Duterte's war on drugs was met with a sharp rebuttal from President Duterte. In his outburst Duterte questioned President Obama's authority over Philippines national issues asking:

"Who does he think he is? I am no American puppet; I am the president of a sovereign country and I am not answerable to anyone except the Filipino people. I will swear at you! (Duterte in Mc Coy 2016: 1049-1050)"

In contradiction to the chasm between the two leaders of the Philippines and the US brought about by Duterte's War on drugs, China has been clear in its support for the Duterte administration in terms of the economic and maritime concessions, and this is seen with its joint ventures, creating synergies between China's "One Belt, One Road" and Duterte's Build! Build! Build!

In the same Philippine-China forum where Duterte made his separation from the US known, President Xi reciprocated the support with his own country's commitment to a close

relationship with the Philippines. “China and the Philippines are neighbours across the Sea and the two are blood brothers” said President Xi (Xi Jinping in Mc Coy 2016). Under Duterte, the Philippines broke from a history of having one of the most western centric foreign policies in the Asia Pacific region and risked the future of the Mutual defence Treaty (Torri and Mocci, 2015).

Having gotten off to a rocky start, the US-Philippines relations during President Duterte’s term are characterised by a series of separations and terminations. President Duterte’s departure from the US-Philippines security alliance is, according to Cruz de Castro (2017), gravitating away from a tactical short-term strategy to a long-term strategy that recognizes the Chinese rising power in the region and the world and thus aims to augment relations with what it deems to be the next global hegemon in replacement of the United States. With no real security shored up by the US in defense of its claims in the SCS, he views the alliance of no use to his country in that regard. Heydarian (2017) agrees that the concerns raised by President Duterte vis-à-vis Americas reliability as an ally and thus his departure from close US bilateral relations are legitimate. He notes how despite President Obama’s pivot to Asia and the favourable relations under President Aquino III the Philippines as the biggest American Foreign Military Financing (FMF) recipient received declining military aid in the years 2010 to 2015. Furthermore, the level of aid received by the Philippines paled in comparison to the non-treaty aid recipients in the Middle East who received state of the art military equipment from the United States.

The most active period of significant milestones in the US-Philippines relations appears to have been the early years of President Duterte’s term, 2016 and 2017, when the president took successive decisions that broke ties with the US. In September 2016, he announced his unilateral decision to relieve US special forces operating in Mindanao from duty and indicated that the Philippines would withdraw from the joint patrol of the Philippines EEZ with the United States (Cruz de Castro, 2016). Consistent in his mission to distance the Philippines from an allied position with the US, President Duterte went on to announce the halting of the Philippine-US amphibious landing exercises. President Duterte assured all that the October 2016 amphibious exercise marked the last military exercise between the US and the Philippines during his term (Cruz de Castro, 2016).

In 2017, the change in Presidency in the United States brought renewed hope for the resumption of friendlier bilateral relations among the Philippines and US. For a short while these hopes

seemed plausible when President Trump voiced approval of Duterte's war on drugs while all the while ignoring the gross human rights violations that the Duterte administration was accused of (Cruz de Castro, 2018). The rekindling of relations would prove to be short-lived when in the same year Duterte threatened to abrogate the Enhanced Defence Cooperation Agreement as a result of intel he received informing him of American forces' building permanent arms depots on the agreed EDCA shared locations (Cruz de Castro, 2018).

In 2020, amidst the prevalence of unstable South China Sea relations, President Duterte yet again expressed concern over the destabilization he felt US presence in the Philippines brought to the maintenance of peaceful relations with China. He views the continued presence of the US in Asia as a fuse that will ignite major conflict in the East Asian region (De Castro, 2020). As a result, President Duterte opted to terminate the Visiting Forces Agreement (VFA) with the United States on the 11th of February 2020 (De Castro, 2020). Presidential Spokesperson Salvador Panelo announced that "the President will not entertain any initiative from the U.S government to salvage the VFA; neither will he accept any official invitation to visit the United States (Panelo in De Castro, 2020:6)." This meant that in 180 days or six months from receipt of the written notice of termination the VFA agreement the termination came into effect. Calonzo, (2020) writing for *Japan Times*, cited that it was President Trump's administration's refusal to grant one of President Duterte's political allies a visa that triggered the six-month notification period for the termination of the VFA agreement. While De Castro (2020) notes this decision as the fomenting of the greatest crisis in the bilateral alliance in a quarter century, Panelo dismisses and dissenting views and asserts that abrogating the Philippines' security treaties with the U.S. was consistent with and aligned to President Duterte's aim for the Philippines to stand on its own and strengthen its own resources without the reliance on other countries. (De Castro, 2020).

Duterte's US policy stance did however trigger huge contestation from within his country with citizens, the senate and military alike voicing concern and dissatisfaction with the abrupt termination of favourable relations with the United States. Filipinos voiced a mistrust of China as a result of the various confrontation in the Scarborough shoal, likewise the AFP felt aggrieved that the US with which they have conducted so many joint operations and established trust with was now being shelved for China. The Senate's concerns were around the lack of a strategic foreign goal in replacement of abandoning the US alliance. These concerns were also shared among the ASEAN member states. (Cruz de Castro, 2016)

Interestingly so, despite President Duterte's pivot towards China and inconsistent foreign policy approach to the United States, President Duterte remained fond of president Trump during Trump's presidency and preferred him as the leader of the United States. In the run up to the 2020 presidential elections, President Duterte urged all Filipinos living in the United States to vote for Trump whom he considers a "good friend" (Tolentino, Tamayo and Calayag 2020). Heydarian (2018) in his book *The Rise of Duterte: A Populist Revolt Against Elite Democracy* contemplated that perhaps Presidents Trump and Duterte got along so well because they shared a common leadership style. "They may have different backgrounds but their style is extremely similar and both of them see the same enemies (Heydarian in Maresca 2017)"

4.4 Philippines and China during Aquino III

There is a consistent observation that Beijing's geographical centrality in the South China Sea and its dominance in the region is becoming a game of power-politics. While 'Chinese commentators and officials deny any malevolent intent regarding the United States in the South China Sea and sing the often-heard refrain that such zero-sum thinking is a relic of the past, it is important to note that because most countries in the Southeast Asian region are dependent on China for trade and economic and structural development, it becomes complex when these countries deal with China as disputants of the Islands.

This aforementioned dependence fosters a belief and hope that when China promises that its actions and intentions going forth will be benign (Cronin and Kaplan, 2012; 10). The Philippines under the Aquino III administration was no exception to this dependency dilemma and the hope that China will support its benign intentions rhetoric with commensurate peaceful actions. The hostility that characterised the Aquino and Xi administrations at the end of Aquino's tenure was not as prevalent at the inception of President Aquino's term. This is made exemplary in the early Aquino administration bilateral relations which saw president Aquino making a bold and highly criticised move when he declined attendance of Nobel Prize ceremony for Chinese dissident Liu Xiaobo in favour of peaceful relations with Beijing (Heydarian,2016). Aquino III's early attempts to reach out to Beijing and continue the harmonious diplomatic relations established in the Arroyo administration came to a halt two years into his presidential term when Beijing increased its assertion of territorial claims by seizing the Scarborough shoal in mid-2012 (Heydarian 2016). "The Philippines has handled

the dispute more assertively, using stronger language than it had done up to date and employing different diplomatic and military measures to strengthen its position” (Vink, 2015; 79). With the Aquino III government taking a more critical stance towards China, Beijing consequently further increased its presence on the disputed features. China has managed to not only disagree with the Philippines on its claims to the SCS but they have, over the years, dealt with the assertion of their claims in the South China Sea through a conquest like nature. According to O Neil (2018) “China uses its influence to divide ASEAN countries in order to prevent any one of them from acting collectively to resolve their territorial disputes with China in the South China Sea.”

Unlike the United States, China leans more towards hard diplomacy but makes a concerted effort to coat it as ‘soft’ when dealing with its neighbours. This is evident in the ways in which Beijing uses its aid and cooperation, law enforcement and trade in counter-balancing the presence of the United States in the region and broader global sphere (O Neil, 2018). Threat perception is an important Realist factor that explains the balancing behaviour by the threatened or non-aggressive state against the provocative policies of the threatening state. Interestingly, while China is by no means a weak state, it has engaged both in internal balancing behaviour as a result of the U.S.-Philippines alliance and in lowering the ‘China threat’ by showing goodwill and no aggression’ (Vink, 2015; 83). China’s own balancing strategy supports betrays the SCS strategic importance to the PRC and supports the claim that ‘once China has sufficient influence, the South China Sea will be for China what the Greater Caribbean (including the Gulf of Mexico) was for an emerging United States – a physical and symbolic manifestation of regional hegemony (Cronin and Kaplan, 2021; 14).

Furthermore, what countries such as the Philippines, Singapore, and Vietnam, amongst other disputants’ experience in relation to China’s dominance in both Asia and the South China Sea is what experts on the region describe as a *Finlandization* strategy. This term defines the ambiguity precarious relations with a superpower presents for a small state; The Soviet Union’s dominance of Finland’s foreign policy during the Cold War was generally not overt, yet Finland knew there were lines it could not cross, and thus its sovereignty was demonstrably compromised’ (Cronin and Kaplan, 2012; 15). And this has been the general fear, not only among the government or administration of Aquino III, but the civilians as well, who saw China as aggressive and a threat. Although this threat perception is not completely absent, it appears to have decreased under the Duterte administration.

The installation of Xi Jinping in 2013 brought with it new hopes for a revival of amicable bilateral relations between China and the Philippines and Aquino took advantage of this opportunity. His attempt to re-establish communications between the two states during the China-ASEAN Expo in 2013 was met with a decisive rejection by Beijing when the Philippines was unilaterally uninvited to the Summit (Fonbuena, 2013). As a result of this and other incidents that characterized the Aquino-Xi era, the two presidents came to no harmonious confidence building bi-lateral relations during the Aquino administration. In fact, the relations reached an unprecedented level of hostility when the Philippines government, under the leadership of President Aquino III took China to the Permanent Court of Arbitration for a ruling on disputed features in the South China Sea in 2013.

Given the fear and threat perception of China's might mentioned earlier, the arbitration as a means of conflict management was a strategy that oft works best for weak states by leveraging the playing field under the common legal framework. The legal framework of the UNCLOS in this instance bound China and the Philippines on equal footing and diffused the need for a military solution in a *Right is Might* strategy versus a *Might is Right* strategy which would have inevitably seen the Philippines fail. (Baviera 2014).

One of the key failings of the Philippines, at least with Aquino III, was its inability to strengthen its position on the ground; in ways that Taiwan or Vietnam for instance have done with their increasing of military capability. It was not due to a lack of trying however, as President Aquino was the first Philippine president since the period of martial law to commit to the upgrading of the country's military capability by promising to avail funds to the AFP (Tran 2019). President Aquino had notable challenges to increasing his country's military capabilities such as prevalent budget constraints which saw the military modernization competing with the all-important education and public infrastructure needs, cumbersome procedures to secure arms and objections from pro-China politicians (Tran, 2019).

As mentioned earlier in the chapter, with the United States showing a lukewarm effort towards making any categorical statements in favour of its support to the Philippines and any intentions to leverage its fire power in favour of the Philippines SCS claims under the MDT, the Philippines turned to another diplomatic avenue. The Philippines sought support among fellow members of the Association of Southeast Asian Nations. When this avenue failed to yield any favourable results for the Philippines as the ASEAN states failed to reach a consensus over the territorial dispute with China, the Philippines tried another avenue by consulting with the other

claimants Brunei, Malaysia and Vietnam (Abinales 2013). This avenue too failed to yield any results that would take the pressure off the Philippines brought on by China's increased antagonism in the Spratly islands. All things considered, it appears that under the Aquino administration the Philippines placed all its eggs in a legal basket through the use of international law to advance its case when all other avenues were sought and seemed primed to fail. Soon after lodging its PCA case against the PRC, China retaliated by punishing the Philippines via a limitation of Chinese exports to the Philippines. Tourism and diplomatic contacts were also minimized in the period immediately following the lodging of the PCA case (Murphy, 2017).

Judging from the outcomes both of the arbitration's findings in favour of the Philippines and the subsequent 'friendly' relations that characterize the current presidential term, this strategic move carried the promise of advancing the Philippines national interest. As much as China asserts that it does not recognize the ruling, it does see a need to observe peace in the Indo-Pacific as any instability in the region will undermine its hegemonic role in favour of the US Rebalance to Asia strategy. Immediately after the PCA ruling China's statement which denounced the ruling and the Philippines claims did however include a willingness to "make every effort to reach transitional arrangements including conducting joint development in relevant waters" ...a stark departure from the sanction like behaviour which China instituted in the period immediately after the PCA case was lodged (Xie and Lee, 2016). Xie and Lee (2016) further state that the ruling made by the PCA rekindled the political will to collaborate between the Philippines and China.

What is also of importance is the fact that while hostility that came to characterize the relationship between China and the Philippines shortly before and post the lodging of the PCA case affected economic participation and cooperation between the two states, the economic arrangements between the two countries did not come to a complete halt. 'In the first half of 2012, Chinese investments in the Philippines totalled US\$3.4 billion, and Philippine import revenues from trade with China amounted to US\$3.2 billion (Abinales, 2013:232). By 2014 this figured had dropped significantly and Chinese direct foreign investment in the Philippines had dropped to \$41.38 million (Stern, 2016). Critical as the economic participation had become, by 2016 the year of the PCA ruling, China still had not withdrawn all its business interests in the Philippines (Stern, 2016).

Using Realism as a lens to understand the actions of the Aquino administration would explain or further qualify why Aquino preferred the legal arbitration more than the *de facto* claim of sovereignty that states such as Vietnam have consistently utilized in the approach to the disputed Islands in the Spratlys. Lodging an international law claim served as a counter hegemonic force to China's aggressive military and forceful occupation of South China Sea features for an otherwise military and economic might-less Philippines. It is clear that Aquino III also leveraged his local popularity and the U.S Rebalance to Asia strategy to promote a confrontational foreign policy with China, substituting his administration's lack of military and economic muscle with that of the U.S and the will and support of his constituents as a motivating force.

In thinking of the foreign policy style, it would be safe to classify it as one that broke considerably from the *status-quo*, exemplifying a state that was not only dissatisfied with the current balance of power but also had the willingness to take actions that would endeavour to shift the balance of power in their favour. The efforts of the Aquino III government reveal a state that is a *security seeker* motivated in its quest for security against a bullish China that is aggressively claiming the disputed features. In accordance with this supposition, President Aquino echoed these sentiments during an interview with AFP News stating that "The question of it [China's increasingly assertive acts in the SCS] escalating to something beyond everybody's control should be at the top of the minds of all world leaders... I think it should engender fear for the rest of the world (Aquino in The Murillo Verlade Map, 2015)."

Pursuing this line of enquiry further, looking back to the early 2010s, while Aquino III presided over the Philippines "the oil and gas prices were rising and fish stocks in the maritime region were increasingly reducing. Control over potential oil fields when energy demands are rising would mean more income and less dependency on other nations oil. Moreover, control over maritime regions inhabiting wild fishing stocks would mean more income due to the rising market prices and decreasing supply of fresh fish (Cronin, 2010; Raine and Le Miere, 2013; Fravel, 2011:303) (Vink, 2015; 63)". This explains why the Philippines was adamant on asserting its claims in the SCS under the Aquino administration- it sought to secure economic security.

What Offensive Realism would suggest in explaining China's behaviour in relation to the oil, gas and fishing stocks, is that the actions of China are fuelled by the desire to take advantage of the strategic value of the aforementioned resources in the South China Sea as a means to

augmenting its power. We know through realism that power does not automatically offer one influence, thus how China can take advantage of the strategic value is by using the position of power it currently has to take control of the South China Sea and then use the resources therein to further augment its power and influence in the region. The potential offered by the Sea's oil and natural gas deposits could benefit China's hegemonic rise and its Belt and Road Initiative further if China controls these deposits.

Realism would therefore firstly predict the Philippines to become more assertive in handling the dispute, despite its weaker power position and Chinese assertiveness if it aims to secure its position and claims to the deposits within its claimed features and secondly predict that China would too be more assertive in utilising the SCS to augment its power and attain the status of global Hegemon.

4.5 Philippines and China during Duterte

As soon as he came to power, president Duterte put aside the PCA 2016 arbitration ruling in order to improve relations with China. Seeking a commercial alliance with Beijing, he opened up the country to Chinese workers and infrastructure investments. In his first trip to Beijing in October 2016, Duterte reaped US\$22.5 billion in trade and low interest loans for the Philippines (McCoy 2016). Both countries also agreed on advancing their cooperation towards a joint exploration of the South China Sea energetic resources. As the presidential term has progressed president Duterte has continued to be known for his rather conciliatory foreign policy approach towards Beijing as he engages China as a favoured trade partner rather than an adversary. However, as the dispute continues to its boiling point, China's activities in the Spratly Islands are putting the commitment to this policy stance into question.

When president Duterte came into office he could have opted to continue with the arbitration's outcome agenda yet he chose to move in a starkly opposite direction. The need to walk a tightrope in search of China's cooperation as strategic economic partner and ally for Asia's smaller and economically weaker states in part explains the sudden flirtation that the Philippines and China are engaged in publicly under the Duterte administration, regardless of the progress that Aquino III achieved with his historic use of International Law in the Court of Arbitration.

There are those who hold the view that the Philippines plays a minor role in China and U.S.'s global rivalry. Chiang (2017) notes that the Philippines is of interest to China mostly as a

claimant country in the South China Sea and a member of Association of Southeast Asian Nations (ASEAN). Of Americans, he says they perceive the Philippines as a second-tier strategic outpost in East Asia bearing lesser significance to them than Japan and South Korea. Inversely so, there are those who believe that the Philippines position as one of only three US MDT allies in the Asian region has transformed its significance to both China and the U.S in ways that are qualitatively different and more meaningful (Regilme Jr. and Untalan, 2015).

Constantly aware of the precarity its position in the trilateral dynamic between itself, China and the U.S; the Philippines strives with affliction to maintain its autonomy. Chiang (2017) further contributes that The Philippines attention towards preserving its autonomy not only originates from the anticipated fruits of sovereignty rights, but also stems from centuries of abhorrent colonial experience. “However, such yearnings for autonomy have been largely ignored by the two giants alike: the Chinese perceive the Philippines as a U.S proxy aiming to contain its peaceful development, while the Americans see the Philippines as a South China Sea strategic axis up for grabs (Chiang 2017).”

Borrowing from the tenets of Womack’s Asymmetric Relations theory, Chiang (2017) proposes his own double asymmetric theoretical assumption which identifies that South East Asian countries have fallen into a dual structural asymmetry in an international environment characterized by pressures from two bilateral relationships with powerful states. In this triangular dynamic, he argues, “Sino-American relations present intrinsic challenges to smaller states, which need to balance relations of autonomy and deference with the dominant country while avoiding being caught in a vicious cycle of bullying-paranoia (Chiang 2017:6).” Sharing sentiments that are aligned with this, President Duterte said Manila cannot stop China from building structures on the Scarborough Shoal if that is what China wanted to do because China is much more powerful than the Philippines and going to war with the Philippines would be a massacre (Tran 2019). This statement also betrayed President Duterte’s lack of faith in the enforceability of International law; peacefully or otherwise.

4.6 Explaining the Duterte Administration's Appeasement Policy on China

There is no one single reason behind the dramatic shift in Philippine foreign policy under the Duterte Administration however the policy shift is illuminated in many official documents and interviews. His predecessor, President Benigno Aquino, vigorously challenged China's expansive territorial claim in the South China Sea throughout his six-year term while president Rodrigo Duterte's actions and pronouncements on the other hand were undoing the former president's geopolitical agenda of balancing China's expansion in the disputed waters.

While many career diplomats had criticised President Duterte for what they perceived to be a lack of coherent policy agenda during his campaign period, this soon changed to criticism that his agenda was too radical and risked all the gains of previous administrations.

However, upon a closer observation of how Duterte has managed to tie his international policy agenda to serve the promises made on his domestic policy, the failure of his strategy is not so easy to certify.

Seeking macroeconomic stability and infrastructure development as domestic politics goals, President Duterte identified China as the greatest ally towards attainment of those goals. The BRI initiative will improve infrastructure radically in the Philippines with the revival of the maritime silk route and tie in with the country's objectives of build! build! build! Infrastructure development will lead to creation of employment and thus contribute towards poverty alleviation. (Cruz de Castro 2018) Noting also how the BRI will connect Southeast Asian countries through roads, railway, sea and internet connectivity, Duterte highlights his State's need for the connectivity that all those infrastructural changes will bring to the Philippines (Cruz de Castro, 2018).

Yes, the criticism that he has failed to advance the Philippines objectives in the SCS is true, however his Foreign Policy stance cannot be discounted as a complete strategic failure for the Philippines. Realising his own state's weakness and likely inability to enforce the outcomes of the PCA arbitration without increasing tensions that may bring uncontrollable upheaval to the Philippines and region as a whole, Duterte sought to take advantage of China's renewed will to work with the Philippines to push the country's domestic infrastructural and economic development agendas. As noted in the inception of this enquiry that there may be lessons to learn in how a state can leverage small state power against a disputant state to take advantage

of small cooperative gains when the core dispute is unlikely to be resolved in the short term and President Duterte has done just that.

Stephen Walt (1988) in *Testing Theories of Alliance formation* described Bandwagoning as the opposite of balancing. According to Walt, Bandwagoning is the unequal exchange wherein a vulnerable state makes an asymmetrical concession to the dominant state and accepts a subordinate role or outcome. In essence Bandwagoning is an accommodation to and buckling under pressure of a weaker state to a stronger state. Most critically, Bandwagoning “suggests a willingness to support or tolerate illegitimate actions by the dominant ally (Murphy, 2017:169).” Walt assesses the cost of this strategy to be the loss of a greater value proposition in favour of illegitimate acts in the hopes that this would deter attack and preserve critical national values (Murphy, 2017).

Walt’s conception of Bandwagoning offers some critical insight into Duterte’s appeasement policy towards China. It also begs the question whether the cost is worth the benefit in the long term.

In opposition to Walt, is Randall Schweller, whose conceptions on Bandwagoning see it as a profitable strategy that sees the weaker state gain much more from the opportunities that colluding with an oppositional stronger state brings in comparison to driving the agenda of opposing the stronger state’s influence (Murphy, 2017). Utilizing this lens, the shift in Philippine foreign policy under the Duterte administration can also be explained as primarily caused by the change in the national interest priorities of the new government which are economic development and war on drugs; a primary interest “different from the Aquino administrations for which the central aim was protecting the national sovereignty in the South China Sea,” argues De Castro (2020). The national interests set by the new administration is derived from its perception of what the Philippines needs in relation to its position in the international system with the consideration of its perceived relative power to China.

With no time wasted, President Duterte sought and received finance from Beijing to build drug-rehabilitation centres as part of his drive to rid the Philippines of drug abuse. (Cruz de Castro, 2018). Despite the small gains in economic cooperation, the opinion of this paper aligns with that of Walt on the costliness of Bandwagoning. Through his appeasement policy, Duterte risks losing the Philippines autonomy and compromise its sovereignty should China find a way to utilise his appeasement policy to occupy and claim the Spratly islands indefinitely. President Duterte would have to embark on a very delicate strategic hedging of Balancing and

Bandwagoning in order to mitigate the risk of being overly exposed to either the US or China. In finding this balance will he have truly attained a sustainable and powerful foreign policy for the Philippines.

Ultimately, given president Duterte's own acknowledgement that the Philippines is unparalleled with China in terms of economic and military power, the existing foreign policy of his administration is accordingly directed to appease China as an act of avoidance and fear of confrontation that might result in military action and loss of economic co-operation from China. It would appear from the evidence contained in this study that this approach has garnered China's support towards the Duterte administration's national interest priorities at a cost of a stalemate between the two states in so far as the South China Sea is concerned.

4.7 The Standoff in the South China Sea

It is without a doubt difficult to overstate the geographic importance of the South China Sea (see Figure 2). In recent years China has been increasingly and actively countering the military pre-eminence of the United States. Should this active countering of U.S presence and influence in Asia persist with the same vigour then it is possible that this trajectory will lead to destabilising the balance-of-power that has been established since World War II, especially, in the South East Asian region. One of the questions to keep in mind when evaluating the United States' presence in the South China Sea, while recognizing the implied biases carried by the various Authors because of their ideological standing, is 'will the United States maintain a credible sea control capacity of the South China SLOCs or will China's anti-access and area-denial capabilities fundamentally neutralize that threat and thereby alter the strategic assumptions throughout the Indo-Pacific region?' This question is important for two reasons. Firstly, it gives us not only an idea of the role that the United States is playing in the South China Sea with regards to underscoring the importance of the maritime security but it also highlights what it means to have secure Sea Lines of Communications (SLOCs) in which all actors involved play by the same set of the rules.

Furthermore, it offers us the luxury to think of the possibility of a multilateral framework where the balance-of-power exposes both the United States and China to a peaceful settlement or presence in the Southeast Asian region. There is a belief that 'multilateral security arrangements would partly help to check the ambitions of individual powers and thereby allow

diplomacy and commercial affairs to transcend overt military competition. Bedevilling these issues is the battle over control of geographic space' (Cronin and Kaplan, 2012; 9).

Those who propose that the interests of the United States in the South China Sea should not cause any conflict with Beijing argue that there is no other Asia state which has benefited from the U.S.-led international order more than China. While the merits of whether this is true or not are beyond the scope of this paper, what is key is the latent suggestion therein that there is a need for sustained cooperation between the ASEAN bloc, China and the United States with regard to issues of the South China Sea. This is a feat that would require stable multilateral relations especially between China, the Philippines and the United States. A symbiotic tri-lateralism of that nature has not been achieved in the Aquino administration era and neither has it been achieved during the Duterte tenure thus far.

In part this is because of the existence of hegemonic aspirations between China and the United States and the existence of self-interest for each of the sovereign states. 'China consistently rebuffs attempts to internationalize South China Sea disputes through various multilateral forums' (Cronin and Kaplan, 2012: 16). The Philippines' smaller and dependent nature relative to its hegemonic counterparts also makes the possibility of a mutually symbiotic relationship with any of the Superpower states a slim prospect for the Philippines.

These realities notwithstanding the aim remains that of cooperation towards the goal of a peaceful SCS dispute resolution. Realism posits that cooperation can best be advanced through strength. Diplomatic and economic engagement will work better when backed by a credible military posture... a concept that might be called "cooperative primacy" (Cronin and Kaplan, 2012; 8). In recognition of its own strength, China relies on solving disputes bilaterally where it is able to divide and conquer. Multilateral mechanisms put China in a weaker position' (Cronin and Kaplan, 2012; 16). Beijing has, in periods preceding the scope of this study, used its soft power strategically and thus improving bilateral relations with its most confrontational disputants; the Philippines and Vietnam, albeit very briefly. In doing so, China maximized its bargaining power against the smaller claimants, while the Filipino use of multilateral channels (ASEAN, UN) to pressure China can be regarded as a tool to increase its influence vis-à-vis the stronger China and balance China's bilateral advantage (Vink, 2015; 83).

It has been established that at the heart of the South China Sea dispute is a question of sovereignty that has become more complex and difficult to resolve because of its geostrategic value and the economic value of its potential oil and natural gas deposits. The SCS is also of

political value because of the power politics at play and how its control bears the potential for an international security shift. In 2015, Beijing went on record, publicly declaring that “if the United States continued with what China perceived to be dangerous, provocative acts in the South China Sea there could well be a seriously pressing situation between frontline forces from both sides on the sea and in the air, or even a minor incident that would spark an outright war” (Reuters 2015) (Kim, 2016; 22).

Some key events which put into focus the stalemate in the SCS occurred during the administration of Aquino III. At the end of the Arroyo presidential term and start of Aquino’s term significant shifts in Chinese naval activities were witnessed.

In the last quarter of 2010, there was a noted increase in Chinese naval presence in the Spratly islands with the Philippine’s Department of Foreign Affairs (DFA) monitoring several intrusions by the Chinese vessels into waters claimed by the Philippines (De Castro 2014). In 2011 alone, Filipino fishermen claimed they were fired upon by the People’s Liberation Army Navy (PLAN) 225 Kilometres west of Palawan. PLAN patrol boats also harassed the Philippines oil exploration 150 Kilometres from the Spratly islands and by June of the same year the Navy had uncovered various Chinese erected structures within the Philippines EEZ (De Castro, 2014). “By 2012, China’s fervent nationalism, growing naval prowess and unilateral moves were overtly directed against a militarily weak Philippines (De Castro 2014:114) What soon followed this antagonistic period is the key event that saw the Philippines under Aquino III taking China to the Permanent Court of Arbitration on the 22nd of January 2013. China immediately challenged the bold move made by the Philippines by declining to participate in the arbitration proceedings, citing that the PCA tribunal did not have the jurisdiction to preside over the case (Tran 2019 and De Castro 2016). The arbitration continued without China’s presence by virtue of the fact that being a signatory to UNCLOS since 1996 implied China’s recognition of the jurisdiction of the PCA.

On the 12th of July, the five-judge tribunal of the PCA made a historically monumental finding in favour of the Philippines on almost all of their claims against China. The Tribunal further found the PRC guilty of devastating the marine environment when it converted rocks and reefs into artificial islands and illegally preventing Filipinos from fishing and conducting oil explorations in their country’s EEZ (PCA 2016, De Cruz 2016 and Tran 2019). The tribunal decision was made final and China was given no leave to appeal the judgement.

The PCA arbitration, the events that led to it and its subsequent ruling are important to note for two reasons. Firstly, they exemplify the different mechanisms that small(er) states and potentially middle-power states can utilise in dealing with conflict in an increasingly polarised global world. But further than that, the events surrounding this PCA case give an indication of China's most recent stance in relation to International Law and the ability of International Law to encourage or dissuade China's actions as a signatory to the UNCLOS.

China's response to the PCA in the matter brought against it by the Philippines possibly sets a precedence for how China aims to or can be expected to deal with International Law in future cases brought against it.

When a superpower like China declares such a historic judgement as 'null and void' or just a 'piece of paper' those sentiments have an influence on the perception of legitimacy of International Law to the rest of the world, particularly states that are smaller and weaker in relation to China. This does not only render international law vulnerable but may very well set a precedence for countries like North Korea, for instance, who not only look up to China but are also known for autocratic and despotic acts, to also disregard International Law and order.

While it may sound damning, historic statements and proclamations from China have alluded to the fact that they believe to be above reproach when it comes to the SCS, regardless of what International Law may say. A point in case are the remarks made in 2016. 'At the June 2016 Shangri-La Dialogue in Singapore on regional security, PLA Navy Admiral Sun Jianguo defended his country's position in the South China Sea, adding that 'we do not make trouble, but we have no fear of trouble'¹ (Lanteigne, 2016; 4).

Moreover, 'from the perspective of the Chinese, the Arbitral Tribunal did not effectively resolve the issue in the SCS. From the start, Beijing had viewed the PCA proceedings as counter to the Asian way of resolving disputes between neighbours that must engage through personal dialogue and negotiated settlement' (Almase, 2017; 10). This may explain why China continued to call for bilateral talks with the Philippines post the tribunal findings to ensure that its long relations are not setback by such a ruling. China had gone as far as to 'excuse', the Philippines for *internationalising the conflict*.

¹ The speech can be read at <<https://www.iiss.org/en/events/shangri-la%20dialogue/archive/shangri-la-dialogue-2016-4a4b/plenary4-6c15/jianguo-6391>>.

However, China's perceived pardon of the Philippine's internationalisation of a regional conflict may also be understood as a ploy to rebalance the proverbial playing field and bring the Philippines to play according to their rules where they have the greater strength. China has always been cognizant of the fact that it is more effective in bilateral peaceful dialogues in managing disputes than multilateral talks, and we have seen this effectiveness in its dealings with states such as Vietnam. Thus, it is not surprising that China would prefer to deal with the matter bilaterally with the Philippines and not in the arena of the international courts (Nguyen, 2017).

Be that as it may, the dissidence of China towards International Law and the PCA ruling however is not a simple tale of woes for the smaller state and those who may need to seek recourse in instances of conflict for what they perceive to be transgressions on their sovereignty. China's case brings to operation the old and yet simple adage that 'actions speak louder than words.' Without the catalyst act of President Aquino by taking China to the PCA to account for its aggression in the SCS, the renewed motivation that China exhibits throughout the presidential term of current President Duterte might not have dawned this soon nor might the resumption of the many joint cooperation and explorations that resemble those of the Arroyo era. This implies that on the whole, the way forward to sail in the tides of the contested sea is not easy but with "trust building and continuous diplomatic engagements, consensual agreements can be worked out, and positive incremental changes can be taken as milestones for the continuance of regional security and international order (Almase, 2017; 20)."

In keeping with the incremental change principle and while the said changes may seem convoluted, small strides that offer hope for positive future prospects in the SCS were made in the year 2020. Despite the Corona virus outbreak, the work on the Code of Conduct during the 37th ASEAN Summit from the 12th to 15th November 2020 on the South China Sea resumed as planned. The standoff over gas and oil exploration with Vietnam, which chaired the 2020 ASEAN Summit, and Malaysia's state oil company has led to a resumption of increased involvement by the United States in the matter once again (Ng 2019 and Parameswaran 2020). In its statement of April 2020, the US Department of State once again condemned China, this time for the sinking of a Vietnamese fishing vessel (Parameswaran 2020). In a separate statement in July 2020, it called on China to remain focused on supporting international efforts to combat the global pandemic, and stop exploiting the distraction of other states to expand its unlawful claims in the SCS' (Panda, 2020). In a classic Chinese style response to its allegation of undermining International Law, at the 2020 ASEAN summit on 12 November 2020, Chinese

premier Li Keqiang urged speeding up the work on the Code of Conduct for the SCS (COC) that has been stalled due to the pandemic so that it can be adopted even before the initial deadline set for 2021 (Ministry of Foreign Affairs of the People's Republic of China 2020).

Without negating the importance of the Code of Conduct and contradicting the preceding point on the significance of the strides made in 2020 with regards to peaceful relations in the SCS, this paper notes that it would be folly to overrate the significance of the COC above the overarching politics of power balance in the Indo-Pacific region.

The key importance of the Code of Conduct lies in its ability to offer a conducive environment within which the claimants will be able to come together and manage tensions with the aim of reaching peaceful resolutions on contested issues. It is not however the resolution of the contention itself.

It is also important to note that China appears hesitant to confer the COC with fully binding powers and further demands that the terms of reference therein reflect regional characteristics instead of international ones. On the opposite end of the spectrum, the rest of the ASEAN states are advocating for strictly binding terms for the COC and urging that it be based on international law, especially the UNCLOS' (Dufková, 2020). The reasons for these differing stances are not difficult to imagine when the consideration for the existence of the economic stakes involved is made and those of sovereignty as well. Knowing the relationship that China has with international law; as exhibited by history and its public utterances, keeping up with the resolutions of the 37th ASEAN Summit will not be an easy commitment when it relates to South China Sea issues.

CHAPTER FIVE

SUMMARY AND KEY REFLECTIONS

5.0 Summary of the Study

The overriding aim of this study was to assess the Aquino to Duterte presidencies and Philippines foreign policy in relation to the South China Sea dispute.

Apart from the main objective of the study, sub objectives of the study were

- To trace the historical background and the evolution of the SCS dispute.
- To establish the determinants of the Philippines's foreign policy and their relationship with the SCS dispute.
- To examine different positions held by various states particularly the US, China and its neighbours as well as other actors regarding settlement of the SCS dispute, with specific reference to the ASEAN community.
- To assess international and regional efforts being made to resolve the dispute.
- To offer suitable suggestions based on findings from the study.

The first Chapter delineated all elementary introductory details of the study namely background, statement of the problem, research objectives, limitations and delimitations of the study, and operational definition of key terms used in the study. The chapter also served as the study outline and operational entry point of the researcher into the study's context.

Chapter Two focused on the review of related literature and put into perspective the SCS dispute mapping out claims. The literature review also highlighted and discussed the theories applied to the study namely the Realist theory of international relations. Understanding the Case of the Philippines and China in the South China Sea Dispute was also a very important component of scholarly literature review in order to establish gaps. This Chapter also highlighted the research methodological approach, strategy and methods for collecting, analysing and presenting data. The chapter discussed in detail the data collection strategy and layout in a systematic way that was used to solve the research problem, intrinsically showing the Philippines foreign policy decisions in relation to the South China Sea dispute. Chapters Three and Four were the crux of the study presenting the research analysis using a thematic historical analysis that compares the two presidents and their foreign policies.

5.1 Conclusions of the Study

This research was aimed at assessing how two Philippine presidents utilised different foreign policy stances and the use of international law; through the PCA arbitration process instituted by Aquino, to influence their country's position in the South China Sea.

In studying the relationship between the Philippines, China and US during the presidential terms of both Aquino and Duterte, the study aimed to assess whether either or both foreign policies were effective in strengthening the Philippines claims to the SCS and what the resultant outcomes of each policy has been. Through President Aquino's use of international law particularly, the paper aimed to evaluate whether the changes in China's aggression in the SCS and enhanced cooperation with the Philippines subsequent to the PCA finding were as a result of the PCA ruling or more a factor of a decisively different policy position instituted by president Duterte who came into office the same year that the PCA award was made. In so doing the paper aimed to show how small states can leverage both foreign policy and international law to express power against stronger states.

The analysis found the PCA ruling proved to be a critical turning point, not only for the Philippines outcomes but also proposes that the successful use of international law may promote the confidence of other disputants in emboldening their claims in the SCS.

What this discursive historical analysis has done is to not only show international law as an effective modality, it has also shown how the various leadership characteristics and preferences play an integral part in foreign policy stance for states where administration of the state relies heavily on the centrality of the president. Foreign policy stances in the Philippines are highly dependent on and often correlate with the leadership style and characteristics of the incumbent President making them. An observation and analysis of the foreign policy must thus not undermine the impact of a personalistic administration which subsequently leads to the personalisation of foreign policy. Aquino's posture of anti-corruption and dissidence towards the bullish, aggressive acts of the PRC impacted his foreign policy. His decision to let the rule of law assert his claims ties in with his overall governance posture. Likewise, a rather rouge but effective crime fighting President Duterte exhibits a militant policy disposition that will by any means necessary do what needs to be done to achieve his government's anti-crime objectives. His militant local policy very much resembles China's tactics in asserting its own agenda in the SCS.

When President Duterte supported the extra judicial killings of suspected drug dealers in the Philippines, China's was the only country that overtly supported this policy and urged the international community to respect the Philippines sovereign right to fight the drug problem on its own terms (Tran, 2019). Likewise,

prominent sociologist Randy David, whose work has closely followed the phenomenon that he and his colleagues have termed *Dutertismo*, describes Duterte as a president with a disdain for humanist values and liberal politics. David further equates *Dutertismo* as an incarnation of Fascism; a revolution inimical to truth, justice, freedom and liberal ideas (David, 2016). These sentiments echo those made similarly of China and Xi Jinping's leadership by Jean-Philippe Beja. Beja asserts that Xi Jinping's rule is an example of a rising trend of authoritarianism. (Beja 2019). With an ideological marriage of two minds between Duterte and Xi's leadership approach, it is not surprising that the Philippines foreign policy under Duterte is characterised by a chastising of the US in favour of China's brotherhood.

In addition to the president being a chief determinant of the nature of the foreign policy of the Philippines, other determinants which have been evidenced to bear considerable weight in the direction of Philippine foreign policy are the need for security which is often represented by the need for military strength, economic strength and self-determination. Military might is not an end in itself for the Philippines as classic realists would propose but rather a means to an end as defensive realists propose. The end goal for the Philippines is the economic and political emancipation of the Philippines which the claimed features of the SCS form an integral part thereof.

What has been a challenge in this paper has been the drawing of the proverbial line in the sand or assessing which of the two factors; Aquino's PCA trial outcome or Duterte's appeasement policy has resulted in the favourable relations and reinstatement of golden era style diplomacy between China and the Philippines. What is evident historically in China-Philippines relations beyond the scope of this research, such as those of the Arroyo administration, is that an appeasement approach to China has failed to significantly garner any positive progress towards settling matters in the South China Sea. What is also evident is that despite Aquino's administration's PCA case and award against China, the economic cooperation between the two states prevailed. This appears to be linked to the fact that China's goals within Asia and the ASEAN countries have been to advance cooperation and solidify its position and balance the United States influence in Asia.

Aquino's strategic utilisation of his alliance with the US at a time where the US expresses a fervent desire to pivot to Asia together with the apparatus of International Law has borne the most fruits for the Philippines in comparison to Duterte's own efforts.

The determination of Aquino's strategic policy success versus his incumbent counterpart is evidenced in the actions of China in relation to the SCS despite Duterte's flirtatious appeasement policy towards it. China has not only failed to make significant commitments or advanced meaningful discussions with Duterte's administration regarding the South China Sea but they have also continued to send ships to waters occupied by the Philippines and dominate the waters of the seas, interfering with Philippines coastal activities. The position made by this paper utilising the evidence gathered herein is that Duterte's appeasement policy was good in securing increased developmental finance with the PRC but has weakened the progress a continued foreign policy stance concomitant with that of the Aquino administration promised for the Philippines SCS position.

An additional caveat and outcome of this has been the realisation of opportunity cost that both discontinuity in FP and the limitations of a one term rule present for the Philippines in their quest to advance their position in the SCS. Unless the constituents appoint successive presidents with shared ideological and foreign policy stances, the discontinuity will continue to undo any progress made with each successive election. This seems a plausible goal in comparison to the alternative that may propose a reversal for a one term policy to resemble many democracies 2 term policies in order to afford a president the opportunity of enough time to determine a policy direction and implement it fully. Significant change takes time and thus through whatever mode the Philippines utilises, it would need to afford more time to a consistent policy position in order to see its effectiveness before abandoning it.

Despite the fact that other world powers are interested in the SCS it is highly unlikely that the United States and other global powers will risk military confrontation over China's conquests in the region. By implication thereof the Philippines president, Rodrigo Duterte began to change the Foreign Policy particularly the US Philippines alliance as he perceived the precarity of an alliance in a global order that is increasingly changing along with the discontinuities of foreign policy objectives across the subsequent presidential terms of different U.S presidents.

For Duterte the inextricability of China from both ASEAN and the SCS has meant that it is better to foster peaceful relations with the one actor that is destined to be part of its geo-political relations for the indefinite future. International relations are a power politics game and national interests dominate the centre stage.

The study also shows that The Philippines despite being ill-suited for confronting China by itself due to the sheer bilateral power disparity with China and also being the region's weakest militarily it has surprisingly taken a very straightforward and less compromising stance openly challenging China's divide-and-conquer strategy under Aquino. In terms of alliances the Aquino administration compared to its successor has been more aggressive in seeking U.S. support and has made military modernization and improved his country's external security by leveraging his alliance with the US

In respect of the U.S. government's interests in the South China Sea, the study sentiments were echoed by Waiganda (2020) who writes "the US wants to maintain a free and open Indo-Pacific region and to deny China the ability to dominate the maritime arena. More specifically, the United States seeks to guarantee trade routes and free sea-lanes, strengthen defense ties with its allies and partners in the region, and balance China's rising power."

Despite the official maritime objectives of the Department of Defense which are stated to be the safeguarding of the freedom of navigation for maritime vessels as recognized by the U.N. Convention on the Law of the Sea, the deterring of conflict and coercion, and the promotion of states to pursue international law, the US policy position has been deliberately vague on its commitment to get actively involved in the defence of the specific South China Sea sovereignty claims of the Philippines.

One the other hand, despite the importance of this region to the Chinese the study proposes based on the reaction of China to the PCA finding that China is unlikely to risk escalation of the present confrontation to a full-blown conflict. China's attempts at resolving disputes in the South China Sea through military force, as the costs of doing so would greatly outweigh the benefits accorded to it in return. Instead, Chinese officials are more likely to continue the policy they have followed for more than two decades: emphasizing their commitment to peace, stability and cooperation while simultaneously asserting their jurisdictional claims and expanding China's physical presence in the South China Sea."

The closest the Philippines has gotten in recent history to making meaningful strides within the SCS is in the PCA finding, however the finding alone is not enough to effect lasting change without a concomitant foreign policy that will uphold the PCA finding and explore its fullest possibilities towards a peaceful compromise or resolution in the SCS. While the above views, by implication point to the stalemate in the SCS being destined to continue for a while, the study has however managed to ascertain that there are notable gains to be made by states through the leveraging of the right mix of international law and foreign policy.

The study has shown by documenting the actions and policy decisions made by Philippines' Presidents Aquino and Duterte from 2010 to 2020 the clear fundamental shift that has occurred in the way the Philippines has perceived the primacy of the South China Sea conflict and thus its foreign policy towards China and the US in alignment with either furthering the agenda of its claims in the SCS under Aquino or abandoning a proactive SCS agenda in favour of an economically participatory one with China under Duterte. The Aquino administration made a concerted effort to not only strengthen its relationship with the United States, but also undertook the bold move to assert its claims via International Law. The Duterte administration however has diminished the gains and the power position that the Aquino administration acquired through its favourable International Law ruling. There are clear contradictions on national interest priorities in the primacy of trade, security and military alliances between the two administrations.

5.2 Key Reflections.

1. The greatest reflection from this study is that Foreign Policy and International Law, when strategically combined in their use are an effective state power tool. However, for the results of this International Law and Foreign policy combination to sustain the long run and yield the power to influence the direction of conflict situation, there must be a continuity and consistency in maintaining the delicate balance of these two tools.
Meaning:

- a. The Foreign Policy must remain consistent until the outcomes sought in the dispute are reached.
- b. The International Law utilized in furthering the agenda of the state in question must be carried out to the letter. Abandoning a course of action or international court finding diminishes its effectiveness as a power mechanism.

2. States must be weary of the pitfalls of '*carrot and stick*' diplomacy. While there is nothing wrong with using either an incentive or assertive means to promote healthy relations or discourage hostility, a state must not abandon course towards a goal or objective at the first distraction presented either as a favourable incentive i.e the carrot or as a threat of punitive measures i.e the stick. States who perceive a weakness in commitment to a goal will easily distract their opponent from advancing their goal by offering either the carrot or the stick. This ultimately results in a cost to the initiating state's ability to realize their ultimate goal. This appears to be the case with China's 'carrots' in the Duterte administration, the various forms of economic cooperation have still not led to any notable progress on the South China Sea dispute. All the soft diplomacy from China appears to only be a deterrent to the Philippines from pursuing the findings of the PCA.
3. The most important cornerstone of the different Presidential administrations and public discourse on the development of their Foreign Policy is an underlying national interest factor that is non-negotiable. Philippine Foreign Policy should strive to be anchored on the three provisions of (1) preservation and enhancement of national security; (2) promotion and attainment of economic security, (3) and the protection of the rights and promotion of the welfare of overseas Filipinos. Asserting the primacy of the Foreign Policy Act 1991, The Republic Act 7175 and Department of Foreign Affairs when determining foreign policy will provide the much-needed foreign policy consistency instead of the oscillation caused by foreign policies heavily determined by the personalities occupying the office of the President.

Furthermore, beyond attaining autonomy from the presidential personality, Philippine foreign policy should strive to attain autonomy from either a heavily U.S or China centric dependence. Historically, the alliance and political history of colonialism has resulted in a foreign policy doctrine that was defined, operated and persisted under the shadow of US foreign policy. It was essentially a non-assertive and submissive 'Grand Strategy' under the shadows of a superpower. The most recent shift to China has not garnered any autonomy but instead substituted one superpower for another. For all his radical shifts in Philippine foreign policy in the name of independence, Duterte has led the country away from the clutches of the US into the arms of China. This is a precarious strategy that goes against the general notion of an independently determined foreign policy.

4. In line with the previous reflection, States wherein the great executive powers of a president lie unchallenged because of the lack of constitutional structures that foster a distributive decision-making apparatus are at greater risk of policy inconsistencies. In states such as these, who the president is, is more critical than the norm. Such states could either invest in constitutional reform that would increase and balance the span of control of Presidents or invest in dedicated voter education which highlights the importance of voting based on desired governance outcomes and not presidential charm.
5. It is of paramount importance that The Philippines continues to engage on regional multilateral platforms and promote the ideal of a unified ASEAN on the South China Sea dispute. The ASEAN states should galvanize on the immediate goal to get the terms of the ASEAN Code of Conduct concluded as a first step towards assuring peace and de-escalation of tensions while a context for the resolution of the SCS dispute is sought.

5.3 Areas for Further Study

The extent to which presidential term limitations have on the different South China Sea policy discontinuities warrants further investigation. It would be of interest to see whether there are significant changes between one and two term presidential administration's abilities to make meaningful progress in territorial disputes where international law has already laid the foundation through either a binding finding or recommendation.

Another possible area of further study is an examination of the extent to which the personality cult or hyper presidentialism contributes to the prolonging or exacerbation of protracted conflicts.

5.4 Prospects for the Resolution of the South China Sea

Throughout the investigation carried out in this study what has been clear is that the South China Sea dispute is one that none of the parties thereto want to see sustained. However, the desire alone to see the tensions end has not sufficed in motivating the states to engage progressively towards settling the dispute. The findings of this study have put it in agreement with the many studies that have been conducted on the South China Sea which opine that a simple and speedy resolution to this conflict is improbable.

From the insights gleaned during this study, a solution to the South China Sea conflict would have to be multifaceted and involve a delicate and balanced mix of ASEAN cooperation and a respect for and cooperation with the provisions of International Law in as far as the provisions of the UNCLOS and the EEZ from the claimant countries. However, there is a myriad of reasons that these avenues have not worked to date and this paper believes that chief amongst these is that China's need for power and hegemony in both the region and globe is an unquenchable quest that stands to trump all efforts that do not serve this goal.

Gloomy as it may seem, the conflict promises to remain a drawn out and protracted one unless International Law acquires an enforceability to act in matters of disputed lands and waters such as these on the bases of historically legitimate evidence. However, the likelihood that a law shall come to pass that infringes on State sovereignty is both highly unlikely given the anarchic nature of the world with no overarching independent legal authority and controversial given the history of colonial conquests, dispossession and abuse of power from stronger states against weaker states.

A slightly more probable solution to the SCS conflict is a scenario in which the US rallies full throttle behind the claimant states and leverages its role as a military and economic superpower by offering intensified and increased financial and military backing to the claimant states to ensure that these states are not held ransom by China's threat of loss of economic support should they elect to advance their claims via International Law or any other peaceful dispute settlement mechanisms. This line of action however has inherent risks in that it could incite further animosity within the region and risk a full-scale assault from China against the claimant states backed by the U.S, thus propelling a proxy war in the South China Sea between the U.S and China. What further complicates this as an avenue towards the resolution of the dispute is the overlapping nature of the claims in the SCS. Albeit China is the main aggressor in the dispute, removing the threat of their financial and military manipulation from the equation does not guarantee that the remaining states with overlapping claims may come to an amicable resolution of their claims on their own.

The most likely way in which the conflict will end should the current status quo be maintained is evidenced in the manner in which Brunei has increasingly become lax in asserting its claims in the South China Sea in exchange for economic BRI-related development investments and likewise in how President Duterte opted to advance Philippines-China cooperation in lieu of increased trade and political ties despite the Permanent Court of Arbitration's finding in favour

of the Philippines' claims. Much like many transactions where assets are traded for money, it is likely that the scenario wherein the South China Sea dispute is peacefully settled would be one wherein China successfully barter their financial backing with each of the claimant states in return for occupation and ultimately ownership of their claimed 9 dash line area. If China can convince the claimant states that in acquiring these disputed land parcels in return for economic support and trade there would be no further security issues to the claimant countries emanating from this trade, then China may very well be able to buy their way to a peaceful resolution of the South China Sea dispute in its favour.

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Appendix A

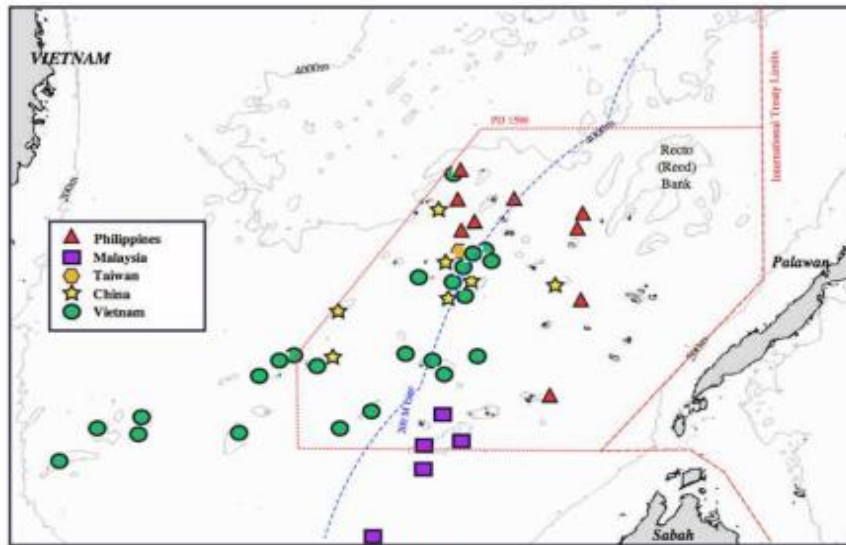


Figure 1

Map showing the features in the Spratly Islands presently occupied by various claimant countries in the West Philippine Sea,

(Source: The Asian Center and Institute for Maritime Affairs and Law of the Sea University of the Philippines)

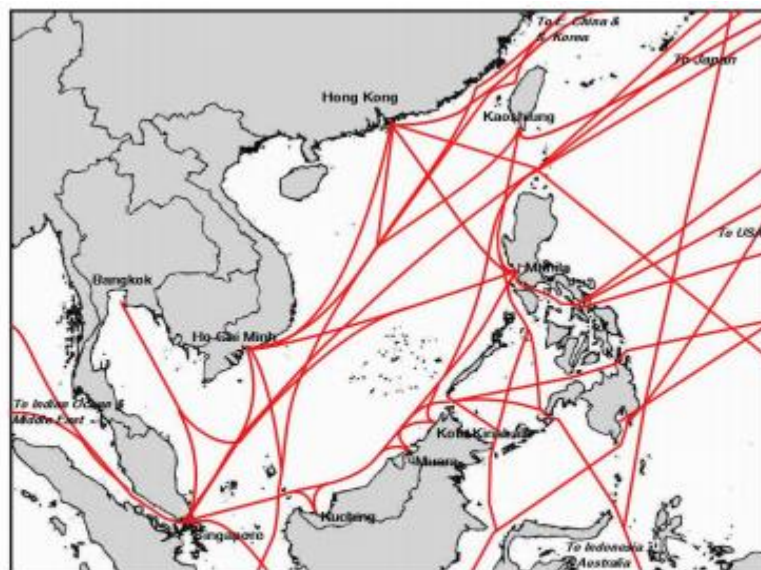


FIGURE 2

The "sea lines of communication" or SLOCs running through Southeast Asia and the South China Sea and West Philippine Sea. SLOCs link seas and ports within the regional and global maritime transportation network and are absolutely essential to international trade.

(Source: The Asian Center and Institute for Maritime Affairs and Law of the Sea University of the Philippines)

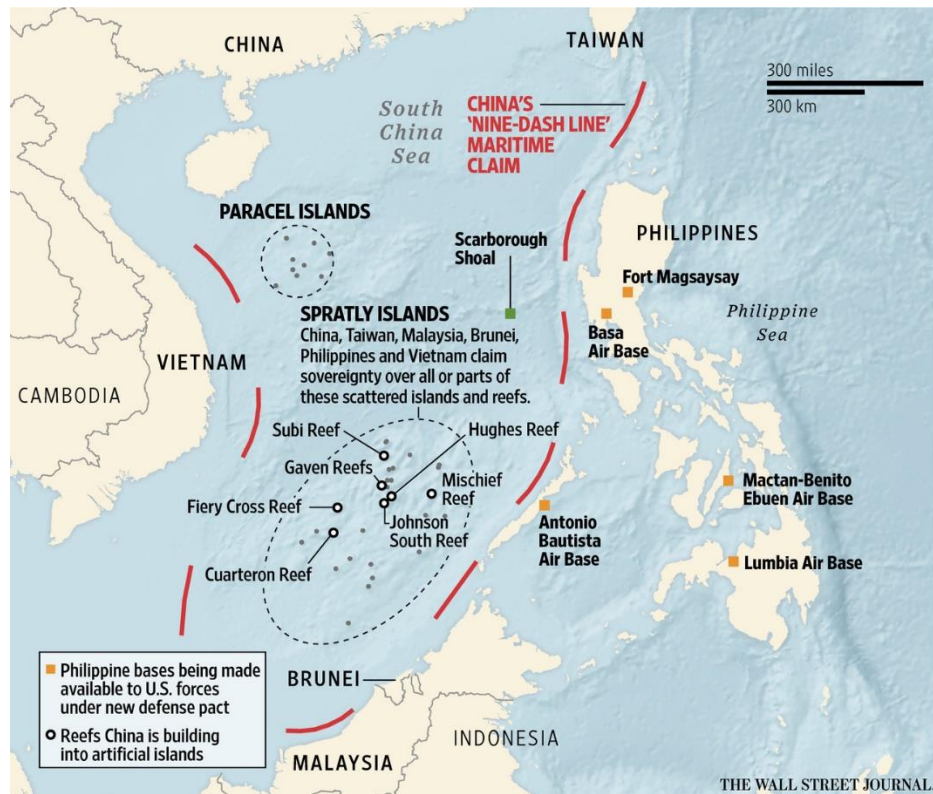


FIGURE 3

The 5 AFP bases the Philippines shared with the U.S under the EDCA and the artificial reefs built by China in the Spratly Islands.

(Source: Jeremy Page and Gordon Lubold in Wall Street Journal)