FOR THE UNITED STATES—PHILIPPINES MUTUAL DEFENSE PACT *

LORENZO SUMULONG **

I am happy to report that the Committee on Foreign Relations to which this treaty of mutual defense between the United States and the Philippines was referred had unanimously agreed to report it favorably. It is gratifying to recall that all the members of the Committee voted as one man to recommend ratification of this treaty by this honorable Senate. It is, to my mind, a convincing proof that whenever a matter of transcendental importance and of great moment to the safety and to the security of our country comes up for consideration, the members of this Senate regardless of their party affiliations rise up to the challenge and make their decision, guided solely and exclusively by what they believe to be conducive to the safety and to the best interests of their people. That is as it should be, because very shortly I propose to show before this honorable body that whenever the question of how to protect the independence so long cherished and at last won by us on July 4, 1946 came up for consideration in the past, the leaders of our country always took common counsel and made their decisions on a non-partisan level, on the highest plane of statesmanship, with no other thought than to assure the continued existence of our country as a free and respected member in the society of nations.

This treaty is but a reaffirmation of two basic tenets in our foreign policy. Firstly, it is a reaffirmation of the policy consistently followed by our Republic not only from the time of its foundation but even prior thereto of cooperating closely with the people and government of the United States in all matters referring to the defense of common interests in the Pacific. Secondly, this treaty is a reaffirmation of the faith and adherence of our people to the purposes and the principles enunciated in the United Nations Charter.

This treaty is a bilateral treaty. It is a treaty between the Philippines and the United States. It provides for a bilateral defense arrangement between the Philippines and the United States to preserve peace and security in the Pacific area. But at the same time, this bilateral defense arrangement is coordinated with the over-all objective and responsibility of the United Nations Organization to pre-

^{*} Address delivered on the floor of the Senate on May 7, 1952 in support of the United States-Philippines Mutual Defense Pact.

^{**} LL.B. (U.P.), LL.M. (Harvard Law School); Professor of International Law, Arellano Law College; Member, Philippine Senate.

serve peace and security throughout the world. While the treaty is only between the Philippines and the United States and therefore bilateral in character, and while it provides for the preservation of peace and security in the Pacific, it is also coordinated with and made to operate within the framework of the charter of the United Nations, because whatever action the Philippines and the United States may take under the treaty for the preservation of peace and security in the Pacific area is always made subject to the more comprehensive objective of the United Nations to preserve peace and security throughout the world. To bring out this point more clearly, allow me, members of the Senate, to read to you what I consider to be the most important article in this treaty. I refer to Article IV of the treaty which provides:

"Each party recognizes that an armed attack in the Pacific area on either of the parties would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes."

Then follows the second paragraph:

"Any such armed attack and all measures taken as a result thereof shall be immediately reported to the Security Council of the United Nations. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security."

From these articles, members of the Senate, you will see that any action taken by virtue of this treaty either by the United States or by the Philipines or by both must be reported to the United Nations Organization so that such action is always made subject to the approval of the collective judgment of the member-nations that compose that international organization.

It may not be amiss on this occasion to recall the historical background of our policy of close cooperation with the United States in matters of mutual defense, as well as the historical evolution of our policy to have full faith and allegiance to the purposes and principles of the United Nations Charter. With such a historical perspective, we shall the better realize that these two basic tenets of our foreign policy has merited not only the approbation and the indorsement of the Liberal Party administration, not only the approbation and indorsement of the Nacionalista Party administration under President Osmeña, but also the approbation and indorsement of Quezon, Osmeña, and all the Commonwealth officials who were then in exile in Washington, D.C. during the last war.

Permit me to give you briefly the sequence of events regarding our policy of close cooperation with the United States in matters of mutual defense. I shall begin by requesting you to turn back our memories to those dark days of the last war. I ask you to turn back to October 6, 1943, just eight days before the establishment here of the Occupation Republic on October 14, 1943. On October the 6th, 1943, because Japan was already propagandizing that she would give independence to the Philippines on that date, October 14, 1943, President Franklin Delano Roosevelt sent a message to the Congress of the United States recommending first that he, as President of the United States, be authorized to advance the date of our independence, which was scheduled under the Tydings-McDuffie Act for July 4, 1946, and in that same message it was also requested that the President of the United States be authorized to negotiate with the Philippines for the establishment of bases here in the Philippines even after our independence for purposes of mutual defense of the two countries.

In consonance with that message, the Congress of the United States on June 29, 1944, by unanimous vote in the two Houses of Congress of the United States, passed Joint Resolution No. 93 which authorized the President of the United States to advance the date of Philippine independence and to negotiate with the President of the Philippines for the establishment of military bases in the Philippines with a view to insuring the independence of our country, safeguarding the security of the United States, and preserving peace and tranquility in the Pacific area.

That was the Joint Resolution passed unanimously by both Houses of the Congress of the United States. Here in our country, after liberation, one of the first measures approved by our Congress in 1945 under the regime of President Osmeña was a Joint Resolution expressing indorsement of the Joint Resolution passed by the United States Congress, and authorizing the President of the Philippines to enter into negotiations with the President of the United States for the establishment of bases which would give mutual protection to the interests of the two countries here in the Pacific.

That Joint Resolution was passed under a Nacionalista administration. It was passed regardless of party lines and without a single dissenting vote as far as I can recollect. In consonance therewith, our Government and the United States Government entered into an agreement concerning military bases here in the Philippines, and there was also an agreement providing for the manner of giving military assistance to the Philippines. The military bases agreement

was duly submitted to the Senate and the concurrence of the Senate was given thereto.

From these historical facts, it will readily be seen that the two major political parties in our country—the Liberal and the Nacionalista Parties—are equally responsible for the policy of cooperating with the United States insofar as the mutual defense of the interests of the two countries in the Pacific is concerned. That is why I am surprised to hear some oppositionists accusing the party now in power, especially in the heat of election campaigns, for having agreed to the establishment of American bases here even after independence, branding it as an act impairing the sovereignty and the independence of our country. Whoever makes that accusation overlooks the historical background, the nonpartisan nature of the policy of mutual cooperation between the two countries in matters of defense, and it is to be hoped that such politically-motivated recrimination will be avoided in the future because it would not speak well of the seriousness of purpose with which we regard and honor solemn international agreements entered into by our government with the express approval of all political parties in the Philippines.

I now pass to the policy of giving strict adherence to the purposes and principles of the United Nations Charter. The members of the Senate will remember how we became a member of the United The declaration of the United Nations was first signed in Washington, D.C., on January 1, 1942. The Philippines became an adherent to that declaration of the United Nations shortly after President Quezon and other Commonwealth government officials were forced by the exigencies of war to leave the Philippines and stay in exile temporarily in the American mainland. The Philippines through President Quezon became a signer of the declaration of the United Nations sometime in June. 1942. When the United Nations Charter was drafted and discussed in the San Francisco Conference of 1945, our country was well represented by able and distinguished representatives, some of them members of this honorable body. like Senators Delgado and Garcia. Our delegates to the San Francisco Conference of 1945 took an active part in the discussions; their voices were heard, especially their plea in behalf of Asiatic nations aspiring for independence and for self-government. In that particular respect, the voice of the Philippine delegation aroused considerable interest and commanded respectful attention in the deliberations of the San Francisco Conference of 1945. The Charter of the United Nations was ratified by the Congress of the Philippines in 1945 and the Philippines as a member nation thereby assumed all the

obligations and became entitled to all the rights and privileges contained in that Charter.

It may be asked, "Why do we have to enter into this Mutual Defense Treaty with the United States?" The answer, to my mind, is because until now, contrary to our hopes and our prayers, the United Nations Organization has failed to perfect the machinery, has failed to create the international police force or international army which was intended to be created by the Charter to repel all acts of aggression and enforce the decisions of the various organs of the United Nations Organization. All the weak and small nations of the world, the Philippines included, were most happy when the United Nations Charter was signed in San Francisco, because they thought that the millenium had arrived, that thenceforward right instead of might will determine the justice of the cause of any nation, to the end that the relations of nations with one another will be governed by the rule of law and no longer by the law of the jungle. Unfortunately, since that Charter saw the light of day in 1945, events in the international scene had drifted in a direction contrary to the aspirations and expectations of mankind. Instead of One World, instead of a United Nations, we see the world again divided against itself, we see the world today divided into two big blocs, one known as the Free Nations bloc, and the other one known as the Communist bloc. No country today, not even big countries for that matter, can depend for its security on its sole strength and resources. Because of revolutionary changes in transportation, communication, and technology of warfare, the defense and the security of any country, however rich, however mighty, however powerful, cannot be rested upon its sole strength; it must seek the assistance and cooperation of enough friends and allies for the protection of its interests. Our Republic was born only six years ago. Our country and our people are still smarting and suffering from the ravages and destructions caused by the last war. Our country needs friends and allies, and it has to look for friends and allies among those nations whose ideals, whose traditions, whose way of life, and whose aspirations are akin to our own. That is the reason why in the absence of an effective United Nations machinery to enforce peace and security throughout the world, we have to seek the support and cooperation of the great people and government of the United States, because this is the nation to which for over half a century now we are bound by historical ties of mutual friendship and appreciation, this is the country and people who trained us in the art of selfgovernment and helped us achieve our fundamental freedoms, this is the country and people with whom we fought side by side in many crises, in many moments of trial and tribulation.

Mr. President and members of the Senate, I ask your indulgence for a few more words. It may be opportune to call attention to the fact that even prior to the negotiation of this mutual defense treaty between our country and the United States, President Truman and Secretary of State Acheson of the United States had declared openly and publicly that any attack on Philippine territory would be considered as a danger to their own safety and to their own peace and that they would act accordingly. You will thus note, members of the Senate, that this treaty simply formalizes those assurances given by the President and Secretary of State of the United States. What was merely the individual pronouncement of high American officials is now raised to the category of a treaty commitment on the part of the people and government of the United States. if an eventuality should occur—may God forbid—but if the Philippines should again be the victim of an aggressive attack, we can invoke this commitment of the United States, not only on the score of being an individual commitment of the President of the United States, but more so because it is a treaty agreement solemnly entered into and solemnly to be honored and respected by the two signatories to this treaty. With these few humble explanations and knowing as I do that every member of the Senate is conscious of the vital significance of this treaty not only in our relations with the United States, not only in our relations with the Pacific nations, but also with all the nations of the world; reiterating my belief that we have to depend on a bilateral defense arrangement such as this as long as the United Nations Organization cannot afford the necessary machinery for insuring peace and security; I earnestly hope that this treaty as recommended by the Committee will be unanimously ratified by the entire membership of the Senate. I add as a last statement that this defense treaty according to its very terms is not a final defense arrangement here in the Pacific. cording to the very words of this treaty, this defense pact between our country and the United States is entered into pending the negotiation or conclusion of a more comprehensive system of regional defense in the Pacific. Let us hope in our heart of hearts that a better instrument, a more comprehensive instrument, a more effective instrument for protecting and safeguarding peace and security in the Pacific can be devised with the cooperation of all nations having interests in this area, and until that hope is realized, let us, as a modus vivendi, as a provisional arrangement, accept this mutual defense treaty between our country and the people and government of the United States.