



Written by [Alex Newman](#) on June 21, 2017

U.S. Special Forces Have “Boots on the Ground” in Philippines

American Special Forces have “boots on the ground” and are helping Philippine troops and police fight Islamist rebels in the Southern town of Marawi, according to U.S. and local officials cited in news reports around the world. The news comes after firebrand Filipino President Rodrigo Duterte, accused of extra-judicial killings as part of his war on drugs, [repeatedly threatened to evict all U.S. troops from the Philippines](#). A number of legal concerns have been raised surrounding the operations for both governments. However, with officials and media outlets arguing that the fighting is aimed at stopping Islamists supposedly “loyal” to the Islamic State (ISIS), [even as U.S. forces bomb the enemies of ISIS in Syria](#), the legal issues have been mostly swept under the rug so far.



The ongoing battle, which centers around the largely Islamic town of Marawi on Mindanao island, began in May, when Islamist militants under the leadership of alleged terrorist Isnilon Hapilon overran the area. Since then, Filipino forces, with U.S. support, have been battling those jihadists with bombs, planes, and guns, leaving the town of some 200,000 people looking like a “ghost town,” reporters said. According to media reports citing officials, hundreds of “militants” have been killed in the fighting, along with more than 50 soldiers and dozens of civilians. As of last week, some 20 percent of the city was reportedly still under the control of the rebels, whom various officials and media reports have said are trying to create a new province for the Islamic State “Caliphate” in the predominantly Catholic Philippines. The entire island of Mindanao is under martial law, and the city is reportedly close to ruins.

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The Filipino military officials and U.S. embassy officials who admitted the role of U.S. troops there have all claimed that American forces were not actually involved in combat. Technically, that may be correct, if combat includes only shooting. However, despite earlier official statements claiming there were not even U.S. boots “on the ground” near the hostilities, it turns out that American forces are, indeed, operating “on the ground” in and around Marawi, and presumably they are all wearing boots. U.S. troops are reportedly helping with everything from training local forces to gathering intelligence and conducting surveillance. A local camera crew even caught a group of American operatives flying a drone from a truck near the battlefield.

The U.S. embassy in Manila confirmed that U.S. forces were aiding Filipino authorities in the war, but denied that they were involved in combat operations. “At the request of the government of the Philippines, U.S. special operations forces are assisting the AFP with ongoing operations in Marawi that



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helps AFP commanders on the ground in their fight against Maute and ASG militants,” an embassy spokesperson was quoted as saying, with ASG referring to the Islamist Abu Sayyaf group and the AFP a reference to the Armed Forces of the Philippines. The U.S. military also confirmed that Special Forces were giving “security assistance and training” to their counterparts in intelligence, surveillance, and reconnaissance. “For security reasons, we are not able to discuss specific technical details,” the Pentagon statement added.

And finally, Filipino military officials confirmed the scheming as well. Brigadier-General Restituto Padilla, for example, while he denied that U.S. troops were actually in combat, admitted that the group of men captured on film operating drones from a truck were in fact U.S. troops. “In a battle the most important item for the commander is to be able to determine what is happening,” Padilla said to explain why the U.S. troops were doing that. “It’s called situational awareness and that is the sort of assistance being given.” He did admit, too, that American forces were carrying rifles and were authorized to shoot if fired upon, which is fairly standard when U.S. troops assist their foreign counterparts on or near a battlefield. In a strange twist, President Duterte claimed repeatedly he was not aware of U.S. aid amid the battle.

It was not clear under what constitutional authority U.S. forces were supposedly operating under in the latest clashes to break out in the Philippines. But there have been no declarations of war by Congress authorizing the intervention. Instead of the constitutionally required declaration, U.S. officials have argued that the support for Filipino forces was part of a “counter-terrorism” program. An official statement cited in press reports also noted that U.S. Special Forces have been providing “support and assistance” to their counterparts in the Philippines “for many years,” as if that legitimized it. Various establishment media organs and officials have implied that a mutual defense treaty from the 1951 even requires U.S. forces to aid the Filipino government.

The U.S. Constitution, of course, [requires that the U.S. Congress issue an official declaration of war](#) before the United States is committed to war. The Founders insisted on it, because they wanted the American people’s elected representatives to have a proper debate prior to entering a war. They also sought to prevent a situation in which one person could embroil America in foreign conflicts. And yet, the last time Congress actually declared war was during World War II. Since then, legal quackery has been used to develop a variety of pseudo-“legal arguments” purporting to authorize the deployment of U.S. troops to fight all manner of wars abroad. On more than a few occasions — [most recently in Libya, with disastrous effects](#) — U.S. forces have been illegally used to overthrow foreign governments under the guise of enforcing unconstitutional United Nations resolutions. But in theory, at least, the Constitution remains the supreme law of the land.

It was also not clear whether the U.S. operations were legal or authorized under Filipino law. As far as the Philippines is concerned, the deployment of U.S. troops might be considered unconstitutional, according to news reports and various analysts. The Filipino Constitution prohibits foreign combat troops operating on Philippines’ soil. But top officials were quick to deny that the support being provided so far was unconstitutional. “What is prohibited under the Constitution is the joining of U.S. troops in actual combat,” Justice Secretary Vitaliano Aguirre II was quoted as arguing in news reports. “But sharing of intelligence and equipment is allowed under the EDCA (Enhanced Defense Cooperation Agreement).” The EDCA is the legal agreement that purports to authorize the U.S. military presence in the Philippines.

While President Duterte conceded that his military men were very pro-American, [public calls for](#)



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[evicting U.S. troops have been growing louder for years](#). Duterte himself, who often speaks in obscenities and even described former U.S. President Obama as the offspring of a prostitute, using more vulgar terms, has expressed outrage toward the U.S. government on multiple occasions. In view of his disagreements between the two sides, he appears to be hoping for a stronger alliance with the Communist Chinese dictatorship in Beijing instead. Much of the press coverage of his administration in the international media has focused on his highly controversial war on drugs and widespread allegations of extra-judicial killings of drug dealers. Some analysts have argued that his allegedly narrow focus on fighting drugs left the Philippines vulnerable to jihadists groups, as evidenced most recently by the takeover of Marawi.

Of course, on the campaign trail, then-candidate Donald Trump hit the nail on the head [when he exposed the true origins of ISIS](#). Far from being some sort of organic development, [official U.S. military documents revealed](#) that the Obama administration and its allies — including Arab dictators and European governments — were supporting an uprising in Syria that they *knew* was led by al-Qaeda and the Muslim Brotherhood. One of the goals, according to a 2012 U.S. Defense Intelligence Agency document obtained by Judicial Watch, was the creation of a “salafist principality” in Eastern Syria. Today, that principality is known as the Islamic State, or ISIS. “In many respects, ISIS is honoring President Obama,” Trump said at a campaign rally, referring to Obama by his full name, Barack Hussein Obama. “He’s the founder of ISIS. He’s the founder. He founded ISIS. And I would say the co-founder would be Crooked Hillary Clinton.”

Instead of getting American troops embroiled in all sorts of foreign quarrels and wars, and squandering American money and lives variously supporting and then opposing both dictators and terrorists, Congress and the Trump administration should follow the Constitution and the advice of America’s Founders. That means, first of all, no more committing U.S. troops to conflicts without a proper declaration of war, as required by the Constitution — and that, following a thorough debate on the objectives and merits of U.S. involvement. Second, it means Washington, D.C., must quit going abroad seeking “monsters to destroy,” as John Quincy Adams put it. Not only would that save American lives and vast sums of taxpayer wealth, it would also probably leave the world a better place. Plus, it’s the law. The people and the authorities of the Philippines are perfectly capable of handling these problems without U.S. “help.”

Photo of U.S. soldiers: [U.S. Army](#)

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