Meth and Murder:

The Violent Success of Duterte's War on Drugs

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Abstract - Since his election in 2016, President of the Philippines Rodrigo Duterte has pursued violent antinarcotic police operations, resulting in the deaths of more than 27,000 suspected drug users and dealers. Police forces have worked to conceal the bloody consequences by hiring paid killers and deliberately planting false evidence. Duterte publicly promotes his "war on drugs" as a success of his presidency, but his actions have drawn condemnation from international human rights organizations who have accused him of crimes against humanity. However, Duterte's supporters argue that the crackdown is necessary to combat rampant drug-related crime in the Philippines, with 82% of Filipinos satisfied with the war on drugs due to "a perception of less drugs and crime in the country". Political opponents and investigative journalists claim that Duterte's war on drugs constitutes a systematic policy of brutality and repression; supporters see it as an effective anticrime measure. This paper will examine the current state of the Filipino anti-drug effort and outline how the policy's inherent violence may or may not be justified.

Key Words - Philippines, narcotics, Duterte, violence

INTRODUCTION

I. Background

Since his election as the 16th President of the Philippines in 2016, Rodrigo Duterte has maintained, endorsed, and enacted a strict anti-narcotics policy centered around the extrajudicial murder of alleged drug users and dealers. In the last three years, the death toll of Duterte's War on Drugs has climbed to nearly 27,000 according to Human Rights Watch, with the vast majority of killings being committed by police, paramilitary officers, and vigilantes outside the course of regular judicial proceedings. With only three policemen having been convicted of murder since Duterte's election, international observers have concluded that the Philippine National Police (PNP) have been granted near-absolute impunity from prosecution (Gutierrez, 2018). Far from denying the violence, Duterte has embraced it: in one memorable press conference, he equated his policy with the Holocaust, claiming that "Hitler massacred three million Jews (sic). Now, there are three million drug addicts. I'd be happy to slaughter them. If Germany had Hitler, the Philippines would have (me)." In short, his message has always been succinct and clear; he will "order the police to find those people [using drugs] and kill them" ("License to Kill", 2017).

II. Past Policies: Duterte in Davao

Examining Duterte's rise to prominence provides insight into the connection between the President's beliefs and his record of systematic extrajudicial killings. Duterte was elected to his first political position in 1988 as Mayor of Davao - then known as the "Murder City" of the Philippines - "on a pledge to restore law and order" (Rauhala, 2016). As the capital of the southern island of Mindanao, Davao was in a near-constant state of undeclared war between government forces, communist insurgents, drug-trafficking gangs and Muslim separatists; Duterte promised the city's residents that his tough-on-crime approach would bring peace and security to the streets (Marshall, 2016). He quickly established a reputation as a political infighter who was ready to get tough: those who visited the Mayor's Office in Davao were greeted by a gold-plated revolver on his desk "ready to use" (Peel, 2017). This strongman personality echoed itself in Duterte's rhetoric; he famously called criminals in his city "a legitimate target of assassination" (Peel, 2017) and even bragged about shooting three criminals himself during a police operation (Mogato et al., 2016).

As police enforcement in Davao increased, the city underwent a transformation; by the end of Duterte's rule in 2015, the region enjoyed an economic growth rate of 9.4% and Davao itself was named the 5th safest city in the world (Hegina, 2015). This newfound sense of order made Duterte a celebrity among residents, while his official logo - a clenched fist - found itself "emblazoned on souvenir mugs and other Duterte memorabilia" (Mogato et al., 2016).

But Davao was also the place where the brutality of Duterte's approach started to become mainstream. The socalled "Davao Death Squad", a group of armed men "on motorbikes carrying .45 handguns and butcher knives" (Rauhala, 2016) operated extensively under Duterte's oversight. More than 1,400 petty criminals, drug pushers, and even unaccompanied street children died at the hands of the Death Squad between Duterte's election as Mayor in 1988 and his ascendance to the presidency in 2015 (Marshall, 2016). Although Duterte officially denied the existence of this paramilitary arm of the municipal government, he continuously maintained that his anti-crime model was effective because of its often violent consequences. During a campaign speech in 2016, he took his personal outlook to the national level, telling Reuters: "if you are afraid to kill criminals, then you have no business being a president" (Mogato et al., 2016).

ELECTION AND LEGISLATION

Duterte used Davao as the foundation of his case for aggressive policing throughout his 2016 presidential campaign. Propelled by expletive-laden language and populist rhetoric, he eventually won the election as a dark horse candidate in a highly contested five-way race with 39% of the total vote (Head, 2016). The 2016 general election also yielded a clear majority for Duterte's PDP-Laban party and its allies - informally known as the "Coalition for Change" in both houses of the Congress. Duterte's political victory was further cemented by the collapse of the opposing Liberal Party during the 2019 midterm elections, when it failed to elect a single senator to a vacant Senate seat due to a complete lack of internal cohesion (Head, 2016). This provided Duterte with unprecedented legislative power and enabled him to immediately launch the Drug War upon his formal ascension to the presidency in June 2016 (Smeallie, 2019).

I. Endorsement of Violence

Violence has been the centerpiece of Duterte's political platform: the President has consistently endorsed and even glamorized the indiscriminate use of force against small-scale drug pushers and users regularly in his campaign speeches (Hincks, 2016). During his presidential campaign, he promised that "if by chance that God will place me [on the Presidency], watch out because the 1,000 [people allegedly executed while Duterte was mayor of Davao Cityl will become 100,000. You will see the fish in Manila Bay getting fat" ("License to Kill", 2017). After he became president on June 4, 2016, he later issued a more sinister warning to drug dealers: "I am going to kill you. Don't take this as a joke. I'm not trying to make you laugh. Sons of bitches, I'll really kill you" (O'Connor, 2016). On September 28, 2018, he openly admitted committing the "sin of extrajudicial killings", thereby publicly implicating himself in the extrajudicial brutality for the first time (Ellis-Petersen, 2018), but continued to justify his legacy, asking "what is my fault?" Duterte's repeated invocation of violence in public distinguishes his behavior on the global stage from most other heads of nominally democratic states.

II. Scope and Scale

Aside from two month-long suspensions in 2017 when the Philippine Drug Enforcement Agency (PDEA) was put in charge, the primary enforcer of Duterte's crackdown has been the Philippine National Police (PNP) (Kine, 2017). The PNP's reporting methods document only a fraction of the killings because they fail to take into account thousands of murders committed by "unidentified individuals" often openly linked to the authorities (Coronel et al., 2019). Although the PNP has reported 5,526 extrajudicial killings committed directly by police officers during altercations with suspects, the exact number of fatalities is therefore difficult

to determine due to the high number of "homicides under investigation" ("World Report", 2020). Starting in mid-2018, the PNP stopped disclosing figures in this category, at which point there were more than 23,000 such cases recorded; this brings the total death toll to roughly 27,000 as of mid-2019 when estimates were last put forward by expert studies of the Duterte administration ("They Just Kill", 2019).

METHODOLOGY OF KILLINGS

I. Vigilante Violence

A majority of the extrajudicial murders are conducted by non-police vigilantes and are classified as "homicides under investigation", enabling the PNP to justify their reduced reporting of drug-related killings. Independent investigations by both domestic and international agencies have established that such vigilantes are in fact "paid killers hired by the police or disguised police officers" ("They Just Kill", 2019). According to Human Rights Watch's assessment of police reports and witness statements, "the [armed assailants] would wear civilian clothes, often all black, and have their faces shielded by balaclava-style headgear", while "even if not visible before a shooting, special crime scene investigators would arrive within minutes" ("License to Kill", 2017). This hints that the "unknown armed persons" said to be responsible for the killings are mere agents of the police. Amnesty International was able to corroborate this theory from interviews conducted with former police officers ("They Just Kill", 2019); BBC provided further corroboration through an exclusive interview with contract killers hired by the police to kill alleged drug offenders (Gabuco, 2016). The latter source also revealed that many vigilantes are simply lower economic-status locals initially attracted to the valuable commissions who often later find themselves unable to leave the team once they are involved due to the threat of assassination (Gabuco, 2016).

II. Buy-Bust Narrative

The PNP has attempted to further conceal its role in the extrajudicial killings by providing a so-called "buy-bust" rationale, which claims that plain-clothed police officers launched sting operations targeting local drug dealers (Hincks, 2016). Once the targets were aware that they were interacting with the police, they supposedly attacked them (according to the PNP), forcing the police operatives to retaliate and kill the suspects. The alleged claim of "nanlaban" (fighting back) has been applied nearly unconditionally throughout reports on use of force by the PNP; in 14 of the 17 Bulacan police reports it examined, the Amnesty International report found that police had cited undercover operations with drug dealers followed by self-defence due to "nanlaban" to justify the death of the subject (They Just Kill, 2019).

However, detailed investigations of the "buy-bust" narrative reveals that the accounts of events told by local civilians are completely at odds with the police reports. Widespread outrage resulted when surveillance footage confirmed that seventeen-year-old Kian delos Santos had not been killed while "fighting it out" with the police as described by internal PNP reports; instead, "police officers had dragged him to a cul-de-sac, handed him a handgun and shot him as he had turned to run away" (Smeallie, 2019). Senior officers within the PNP acknowledged that many other deaths were similarly orchestrated as "planned executions" conducted in deliberately created security blind spots (Mogato et al., 2017). Contrary to the usual pre-arranged nature of sting operations, policemen also often barged into the homes of suspects and family members and physically subdued them without prior warning (Coronel et al., 2019).

III. Police Reliability

Even in cases where forensic evidence is not available, the PNP's version of events have markedly lacked credibility in comparison to the testimony of witnesses and family members. One of the most telling characteristics of the police reports is the formulaic nature of their observations, "differing little besides the names, places, and dates" ("License to Kill", 2017) in a "template nanlaban" pattern ("They Just Kill", 2019). This sentiment was also echoed by Dr. Raquel Fortun, a forensic pathologist at the University of the Philippines, who observed multiple gunshot wounds far beyond the level of disabling an assailant during over a dozen independent autopsies of victims. Furthermore, an even more troubling trend is the falsification of evidence by police; several former officers have admitted to routinely planting guns and drug packets at crime scenes to create the impression of armed resistance (Mogato et al., 2017).

POLITICAL SILENCING OF CRITICS

Another distinct feature of Duterte's presidency is his invocation of political force as a means to silence his domestic critics. Duterte's political domination has allowed him to retaliate against vocal opponents without fear of backlash, starting in June 2016 with Leila de Lima, one of the few remaining Liberal Party senators who led an investigation to determine the extent to which the executive branch was responsible for the deaths of Filipino citizens. Lima became the target of a concerted "character assassination" effort by Duterte's Senate allies, in which she was accused of drug trafficking and eventually subjected to a congressional inquiry (Macaraeg, 2019). Lima was arrested in February 2017 and still remains imprisoned, awaiting trial as of April 2020. She continues to denounce Duterte, calling the President "a coward...he hates me, but I never thought he would have me jailed. He made an example out of me." (Santos, 2020).

After de Lima's arrest on questionable charges, Duterte revoked the amnesty of Liberal Party Senator Antonio Trillanes IV, immediately arresting him and forcing him to remain on the Senate premises. Trillanes had previously been pardoned in 2011 by former president Benigno Aquino III for his involvement in a 2007 military rebellion, and the move was widely seen as Duterte's exploitation of a political technicality to eliminate one of his most outspoken critics (Villamor, 2018). In November 2019, the Makati Regional court upheld Duterte's official Proclamation No. 572 to this effect, paving the way for Trillanes' future indictment or even imprisonment (ABS-CBN, 2019).

With de Lima and Trillanes removed, Duterte was then able to turn his attention to Vice President Maria Leonor ("Leni") Robredo, who was elected vice president as a member of the Liberal Party during the separate vice presidential election of 2016. On October 31, 2019, Duterte appointed her co-chairman of the Inter-Agency Committee on Anti-Illegal Drugs (ICAD), effectively putting Robredo in charge of the war on drugs (Valente, 2019). However, after Robredo made public calls to "revamp" Operation Double Barrel and its Oplan Tokhang policy in order to "hold those responsible to account" for "senseless killings", Duterte immediately removed her from the position on November 24, "accusing Robredo of embarrassing the country by trying to draw undue international attention to his War on Drugs" (Lema, 2019). Subsequently, the PNP launched a separate sedition case accusing Robredo, de Lima, Trillanes and their colleagues for attempting to destabilize the nation by "spreading lies against the President" (Damicog, 2020).

INTERNATIONAL RESPONSE

I. Human Rights Defenders

Duterte's "complete disregard for human rights" ("License to Kill", 2017) has been the subject of close scrutiny by global human rights organizations, including Human Rights Watch and Amnesty International. Both organizations conducted independent investigations into Duterte's drug enforcement tactics in 2017 amid the growing violence, and found evidence directly connecting the extrajudicial killings to the President himself. Both organizations found that "Duterte's outspoken endorsement of the campaign implicates him...in command responsibility for crimes against humanity". Both recommended that the United Nations and international governance institutions take immediate measures to prevent more egregious human rights violations in the Philippines ("License to Kill", 2017).

The international scrutiny culminated during the 41st session of the United Nations Human Rights Council on July 5th, 2019, when the "promotion and protection of human rights in the Philippines" was discussed (UNHRC, 2019). During the debate, member nations led by Iceland drafted Resolution 41/20, which "urged the Government of the Philippines...to prevent extrajudicial killings... in accordance with international norms and standards" (UNHRC, 2019). The resolution also "expressed concern" regarding "the

allegations of human rights violations in the Philippines, particularly those involving killings...arbitrary arrest and detention, the intimidation and persecution of or violence against....members of the political opposition" (UNHRC, 2019). In order to combat these violations, the resolution called for the Philippines to comply with an independent investigation by the High Commissioner for Human Rights. Despite fierce resistance from the Philippine delegation led by Evan Garcia, the resolution was adopted by a narrow vote of 18-14 (van Sant, 2019), which immediately triggered retaliatory measures by the Duterte administration whereby state companies and agencies were effectively barred from continuing business with nations who had supported the resolution (Lema, 2019). However, the unilateral boycott was lifted on March 4, 2020 seemingly without any substantial economic impact; whether this constitutes a partial withdrawal of Duterte's ongoing feud with the international community remains to be seen (Santos, 2020).

II. International Court of Justice

Duterte's ruthless pursuit of his drug eradication policies also drew the attention of the International Criminal Court (ICC), and its prosecutor, Fatou Bensouda. On February 8, 2018, Bensouda began a "preliminary examination" into the Duterte administration with regard to crimes against humanity and the President's "fostering [of] an environment of impunity and violence" (Office of the Prosecutor, 2018).

Although Bensouda noted that a preliminary examination was not an "investigation" but rather a "process of examining the information...on whether there is a reasonable basis to proceed", there was significant backlash from the Government of the Philippines regarding the opening of the ICC inquiry (Lema, 2019). In an official statement published by Duterte on March 13, 2018, the Government asserted that the police killings did not constitute crimes against humanity because they were "a direct result of a lawful exercise of a police duty" (Duterte, 2018). The same statement also declared that the Philippines would immediately withdraw from the Rome Statute upon which the ICC was founded, citing "international bias and refusal...to support the Philippines' legitimate efforts at.... independence from foreign influence and control." After the one-year delay period integrated into the Statute, the withdrawal was officially recognized on March 16, 2019, leaving "any future international crimes committed in the Philippines....outside of the court's jurisdiction" (Singh, 2019).

However, the withdrawal has no effect on the Court's jurisdiction regarding crimes committed during the period in which the Philippines was a member; therefore, Bensouda continued her investigation into crimes committed between July 1, 2016 (the official beginning of Operation Double Barrel) and March 16, 2019. In December 2019, in her annual report of all preliminary examination activities, Bensouda remarked upon Duterte's standard *modus operandi*

of "encouraging the killing of petty criminals" while "purportedly fighting crime and drug use". Bensouda concluded that the investigation had "significantly advanced" and has since stated she would "aim to finalize the preliminary examination" by 2020 in lieu of seeking authorization for further investigation. Shortly after the publication of Bensouda's report, Duterte asserted that he would refuse to comply with her inspection, telling reporters that he would "never, never, never answer any question coming from [the ICC]. It's bullshit to me. I am only responsible to the Filipino. Filipinos will judge" (Petty et al., 2019).

ASSESSMENT

I. Possible Justifications

Despite the widespread international condemnation and domestic backlash to Duterte's narcotics crackdown, his supporters insist that a stronger anti-drug policy is necessary to combat the illicit drug trade that has plagued Filipinos for decades. As early as 2004, illegal drug abuse had "reached epidemic proportions and [became] one of the top priorities on the government's agenda" (Hembra, 2004). More specifically, most Filipino dealers were involved in the trade of methamphetamine hydrochloride ("meth"), known as "shabu" in the Philippines; over 96% of all drug rehabilitation patients in the Philippines had been hospitalized due to shabu use (Dangerous Drugs Board, 2019). The Dangerous Drugs Board's 2015 Nationwide Survey on the Nature and Extent of Drug Abuse yielded an approximate total of 1.8 million current users, or 1.8% of the entire population of the Philippines, the highest rate of shabu use per capita in East Asia (Gavilan, 2016). The latter was acknowledged even by the Catholic Bishops' Conference of the Philippines in a July 2015 pastoral letter which described shabu being sold in a "daringly ubiquitous [manner], oftentimes peddled openly in parks, bars, and street corners." (Ranada, 2016). These observations seem to indicate that drastic and proactive policing strategies are needed to combat violent drug-related crimes, hence leading many to justify Duterte's hardhanded policy as a desperate measure in desperate times.

II. Public Approval

The strong condemnation from international critics also sharply contrasts with Filipino public opinion polls that reflect overwhelmingly positive reactions to what citizens perceive as an unprecedented stand against endemic drugrelated crime in the Philippines. According to Social Weather Stations (SWS), an independent polling agency recognized as credible and competent by the Roper Center for Public Opinion Research of Cornell University (Ithaca, New York), a survey conducted in June 2019 found 82% satisfied with the War on Drugs, and 12% dissatisfied, resulting in a net rating of +70. Although this is lower than the campaign's "highest satisfaction rating in December 2016 at 'excellent' +77...net

satisfaction with the campaign has always been either 'very good' (+50 to +69) or 'excellent' (+70 and above) in all survey rounds since the beginning of the survey in September 2016" (SWS, 2019). In short, the consistent positive ratings at 70% or higher indicate widespread public support for Duterte's anti-drug policies.

It is also illuminating to investigate the rationale behind the reactions of Fillipinos to the government's approach to law and order. 40% of the participants who were satisfied with the policy answered that this was because "drug suspects had lessened", followed by "drug suspects have been arrested" at 18% and "lessened crime" at 13%. Meanwhile, among the 12% who said they were dissatisfied with the War on Drugs in the June 2019 survey, the primary reason was that "drug suspects are still prevalent" (42%). The issue of "too many killings" ranked second at 31%, while "too many wrongful arrests" ranked fourth at only 9%. Notably, this is not attributable to lack of public awareness regarding the bloody nature of Duterte's crackdown; in a separate December 2019 survey by SWS, 76% of adult Filipinos "said there have been many human rights abuses in the administration's war on illegal drugs" (SWS, 2020). Thus, it is reasonable to conclude that a majority of Filipinos view the extrajudicial killings as a necessary human cost in order to combat the deeply rooted drug-related crimes in the Philippines.

III. Policy Effectiveness

The extent to which Duterte's anti-drug policy produced measurable success has been questioned by both the political opposition and PNP insiders. While de Lima and Trillanes focused on the growing death toll and human rights abuses occurring within the program, Vice President Robredo produced a scathing critique questioning the initiative's effectiveness. In her speech on January 6, 2020, concluding her short-lived term as commander of the crackdown, Robredo called the campaign a "failure" and gave it a score of "1 out of 100...[based on] authorities being able to seize only 1% of the total supply of illegal drugs in the country"; the government seized 1,344kg of shabu from January to October 2019 compared to roughly 156,000kg consumed by users across the nation (Cepeda, 2020). She attributed this to the administration's excessive "focus on street-level enforcement, going after the small-time pushers and users". Her sentiment was quickly echoed by Romeo Caramat, current head of drug enforcement at the PNP; on February 7, he told Reuters that the "shock and awe" approach had failed and that major "drug lords" and manufacturers were not being effectively targeted by police operations, leading to continued "rampant drug supply" (Allard, 2020).

CONCLUSION

This research paper has explored the Philippine Drug War from a practical policy standpoint. On one hand, the enforcers of the crackdown have exercised widespread extrajudicial violence against alleged drug dealers and pushers. Their efforts are directly connected to President Rodrigo Duterte and his allies at the highest levels of government, who have publicly authorized and orchestrated the attacks through funding and incendiary rhetoric. Despite the government's attempts to conceal the extent of the brutality through the usage of hired "vigilantes" and faulty statistics, inquiries by human rights organizations have alerted the global community of possible crimes against humanity committed by the Duterte administration.

However, Duterte's War on Drugs has also been an enormous domestic success. His embrace of overt force and controversial political techniques has allowed him to eliminate key dissidents including Vice President Leni Robredo and Senators Leila de Lima and Antonio Trillanes. Meanwhile, his pursuit of proactive police operations has mostly prevented illegal narcotics from being traded out in the open. In doing so, Duterte has answered one of the key demands of the Filipino people; his methods of curbing the rampant drug trade have been met with remarkably consistent public approval despite ongoing controversy regarding their actual effectiveness. Therefore, those who seek to enforce justice must take into account the unique internal circumstances when analyzing the human cost of Duterte's Drug War.

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