

## **The Interface of Social Ethics and Human Rights in the Philippines Today**

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### **Introduction**

In my youth, growing up in the town of Digos – now Digos City, which is roughly 60 kilometers south of Davao City – I heard a song the lyrics of which I still remember by heart in my advanced age. The song’s refrain had these words: “*Up, up with people / You meet 'em wherever you go / Up, up with people / They're the best kind of folks to know / If more people were for people / All people, everywhere / There'd be a lot less people to worry about / And a lot more people who care.*”<sup>1</sup>

In the first hundred days of the Presidency of Rodrigo Roa Duterte (PRRD), a lot of worries arose as a “seemingly maniacal thirst for blood in the pursuit of order”<sup>2</sup> has arisen

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<sup>1</sup> Up with People (UWP) is an education organization whose stated mission is to bridge cultural barriers and create global understanding through service and a musical show. The roots of Up with People can be found in the Sing Out shows of Moral Re-Armament (MRA) in the mid-1960s.

<sup>2</sup> Sheila Coronel. “I Will Kill All the Drug Lords.” in *The Atlantic Monthly*. See <http://www.theatlantic.com/international/archive/2016/09/rodr>

vis-à-vis the President's "ferocious"<sup>3</sup> war on drugs. In just three months after his inauguration as President, close to 3,000 suspected drug pushers and killers have been killed as the president is making good his promise to eradicate the drug menace and criminality in the country.<sup>4</sup> If one compares this figure to the number of Filipinos killed during the 14-year autocratic rule of the dictator, Ferdinand Marcos – the records at the Commission on Human Rights indicated 3,240 killed and 390 disappeared – one is certainly worried how many more could be killed if PRDD lasts for the six years of his term.<sup>5</sup>

But are there more people out there who care?

Despite a growing number of casualties, there has not been a public outcry. A number of key individuals in Philippine society – from Vice-President Robredo to the Catholic bishops, from Senator Leila de Lima to the heads of universities – have denounced these extrajudicial killings (EJKs) and wondered why there has not been a show of indignation on the part of the people. They have expressed an utter sense of disappointment and frustration with this lack of public clamor.

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[igo-duterte-philippines-manila-drugs-davao/500756/#article-comments](http://igo-duterte-philippines-manila-drugs-davao/500756/#article-comments) (accessed 25 Sept 2016), p. 5.

<sup>3</sup> Rishi Iyengar. "The Killing Time: Inside the Philippine President Rodrigo Duterte's War on Drugs." in *Time Magazine* (accessed 25 August 2016), p. 8.

<sup>4</sup> In an attempt to have an accurate count of those killed in the drug war, *The Philippine Daily Inquirer* came up with actual listing of victims – from 7 July to 19 September, 2016 – complete with names and circumstances of their deaths. They listed "a total of 1,027 deaths — 273 remained unidentified while a hundred were identified only by their aliases based on police reports" (see Ager 2016: 1).

<sup>5</sup> Paulynn P. Sicam, "Martial Law Revisited." in *The Philippine Daily Star*. September 24, 2016, p. E-4.

In the absence of a strong public's negative reaction to the EJKs that has arisen with PRRD's take-no-prisoners war on drugs, Vice-President Leni Robredo posited: "I hope my being vocal against extrajudicial killings inspires many others to follow suit because there really has to be a public outcry. The way I see it, there has been very little outcry in the recent past."<sup>6</sup>

### **Why People Support Duterte's Drug War, Thus No Public Clamor**

Randolf David, a sociologist and PDI columnist, offers an answer as to why there has been no outcry because "in a society like ours with a flawed justice system, criminal suspects tend to escape responsibility by exploiting the weaknesses of legal procedure. Other reasons have been put forward. In defense, for instance, of a shoot-to-kill order on suspected drug offenders, it has been argued that this approach, as harsh as it may be, is more efficient and more expedient."<sup>7</sup> He further adds

"All this makes one wonder if the absence of a loud public outcry over these rampant murders does not somehow mirror our own stereotyped images of the urban poor – i.e., of how twisted their values are, of how easily they trade hard work for the fleeting pleasures of drugs and intoxication, of how they cynically invoke joblessness to justify their forays into petty crime, etc. Is it a crime against humanity to wipe out such people from the face of the earth? Our collective

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<sup>6</sup> Nikko Dizon. "VP Laments Lack of Outcry vs. Drug Killings." in *The Philippine Daily Inquirer*, 5 August 2016, p. A17.

<sup>7</sup> Randy David. "Human Rights and the Poor." in *Public Lives, The Philippine Daily Inquirer*, 7 August 2016, p. A14.

silence would seem to confirm the view that it is not.”<sup>8</sup>

Partly a reason why 38% of the Filipino electorate voted PRRD to the Presidency in the last election was that he was seen as an underdog who could topple down the traditional powerful politicians in the northern part of the country – specifically Metro Manila – and thus dismantle their dominance of running the country for so long. When he won as the first Philippine president from Mindanao, he brought “to the office a proud *Mindanawon’s* disdain for faraway “imperial Manila.”<sup>9</sup> The underdog image projection sits very well in terms of ordinary Filipinos’ memory of folk heroes and their favorite movie stars popular in action (the likes of Fernando Poe, Jr., Rudy Fernandez and Robin Padilla).

The anthropologist Michael Tan theorizes that PRRD embodies the *Tatang* syndrome, projecting a “*tatang* aura” that has charmed most of the Filipino people.<sup>10</sup> Tan posits that some of the factors that explain this aura include his “spontaneity” which makes him stray many times from his prepared speech (“from experiences with fathers, there’s always the prepared speech to which we listen while rolling our eyes; but we perk up when they become more spontaneous and they think aloud, thus showing their humanity”), a penchant for “flexibility” and a “revelation of a compassionate side.”<sup>11</sup> Tan further explains that it is PRRD’s *tatang* side that explains why he gets very angry when he deals with the drug problem as this will “destroy the country.” Unfortunately, the majority of the people have

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<sup>8</sup> *Ibid.*

<sup>9</sup> Coronel, 2016, p. 5.

<sup>10</sup> Michael Tan. “Trusting Tatang.” *The Philippine Daily Inquirer*, 27 July 2016. See <http://opinion.inquirer.net/95989/trusting-tatang>, p.11.

<sup>11</sup> *Ibid.*

shared this anger and his approach to destroying this menace.

Does Duterte represent a new brand of politicians who now seem to have arisen globally vis-à-vis the populism that now seem to have spread across the world? Putzel asserts that populist politics – which “emerged across the traditional left-right spectrum, both in bids to capture power in established political parties and to champion non-traditional political organizations” – has emerged which “challenges existing power constellations.”<sup>12</sup> Duterte’s popularity echoes the new rightist populism of someone like Donald Trump – which “appeal(s) to the lowest common denominator in society, e.g. people’s fears”; but also echoes that of people like Bernie Sanders in the U.S. which appeals to people’s “hopes for a fairer and more equitable politics.”<sup>13</sup>

Maybe one can refer to mix of the old and the new. On one hand, Duterte’s political persona is “of a type familiar in the Philippines: one of many local strongmen that have thrived in the fetid swamp of the country’s feudal politics,” emerging “from a clan of savvy provincial bosses who prospered in the country’s southern frontier through the skillful deployment of patronage and violence.”<sup>14</sup> But Duterte arose in the national political landscape at a time when the demography of the country has shifted as more people have flocked to the cities. At the same time, globalization and the information technology have created social media. For Putzel, these were the two major reasons why Duterte attracted the majority of the electorate.<sup>15</sup>

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<sup>12</sup> James Putzel. “Duterte Populism’: Can it Bring Lasting Peace, Development?” in *The Philippine Daily Inquirer*, 28 August 2016, p. A15.

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

<sup>14</sup> Coronel, 2016, p. 7.

<sup>15</sup> Putzel, 2016, p. A15.

But why was winning the drug war and curbing criminality and corruption the battle cry of Duterte's campaign, eventually becoming the cornerstone of his administration? Could it be that he and his advisers had a glimpse of what were the deep-set anxieties of most voters? Anyone who understands the workings of the State bureaucracy would easily agree with Coronel's views: "The rule of law is weak and the police and the courts are widely considered by citizens to be unreliable and corrupt... While the Philippines is far from being a narco-state, the trade in methamphetamines is brisk and conducted in the light of day, and the government is seen as helpless to curb it... as traditional elites have mostly been indifferent to it, failing to address the festering problems of law and order."<sup>16</sup>

How has PRRD succeeded in convincing the great majority of Filipinos, including those who assume to have developed a critical consciousness owing to their participation in long years of struggles from the Marcos dictatorship to the Aquino era? Could it be because the people are convinced that drug use constitutes such an emergency that the very existence of the nation is threatened, and that only his rule can save the Philippines?" Iyengar thinks so and posits that "(i)t's the oldest autocratic trick in the book."<sup>17</sup> Because of this scenario, Senator de Lima was quoted by Iyengar declaring that "we're on a slippery slope towards tyranny."<sup>18</sup>

### **Voices in the Wilderness**

There have been voices crying out in the wilderness challenging Duterte's approach to dealing with the drug menace which has resulted in thousands of EJKs. Even during the election period, a number of church people had already warned the people not to vote for him as his administration

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<sup>16</sup> Coronel, 2016, p. 4.

<sup>17</sup> Iyengar, 2016, p. 6.

<sup>18</sup> *Ibid.*

could repeat the experience of the Davao Death Squads (DDS) during his time as Mayor. As the killings continue to rise, a growing number of church people have taken on a prophetic stance and continue to be at the forefront of the strong critique against PRRD's drug war.

CBCP President Lingayen-Dagupan Archbishop Socrates Villegas has been the most vocal in opposing PRRD noting that "the Philippines is becoming a killing fields nation as it seeks to stamp out illegal drugs."<sup>19</sup> In a statement he issued in early August, he writes

Every human being is a brother or sister.. For the killer and the killed I grieve. We become less human when we kill our brethren.... I am overcome with grief at the thought that people do not mind killing criminals in the belief that their murders will lessen evil in the world. I am a human being, that is, all it takes for me to stand up and say 'enough'... My humanity is in grief. I am in utter disbelief. If this is just a nightmare, wake me up and assure me it is not true."<sup>20</sup>

A month later, he and the members of the Permanent Council of the CBCP issued another statement indicating:

We mourn with you at the deaths that we have seen in our communities. Violent senseless deaths in the ... unnecessary deaths by sickness and accidents, deaths from a terror bombing in Davao, deaths of babies caused by their own mothers, deaths because of police encounters, deaths from

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<sup>19</sup> Julie M. Aurelio. "Grieving Bishop Soc: Enough of Killings; Let our Humanity Speak." In *The Philippine Daily Inquirer*, 7 August 2016, p. A6.

<sup>20</sup> *Ibid.*

extra judicial killings—indeed every death is cause for mourning because in the death of every man or woman, in the untimely death of every child or infant, a part of us dies. We plead for divine mercy on behalf of our dead sons and daughters (that they)... May they receive true and lasting peace with God in heaven! We beg for divine mercy from the bereaved and grieving families of the dead. Seek justice but not revenge...We pray that divine fortitude and wisdom guide all enforcers of the law so that human rights may everywhere be respected, human dignity always protected and the nobility of every human person shine forth despite the scar of crime and sin.<sup>21</sup>

Archbishop Jose Palma was quoted in the Cebu papers as supporting the President's campaign. However, he also said that the fundamental requirements of due process and rule of law must be observed at all times. He asserts: "While we appreciate the efforts against illegal drugs, we also question the process things are done."<sup>22</sup>

The members of the National Council of Churches in the Philippines (NCCP) also issued their statement echoing the same concerns:

We support the President's commitment to address this (drug) problem. However, we call on the President to ensure that in the

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<sup>21</sup> Socrates Villegas. "I Will Turn their Mourning into Joy." Pastoral statement for The Permanent Council of the Catholic Bishops' Conference of the Philippines, 15 September 2016. See <http://www.cbcpnews.com/cbcpnews/?p=84205> (accessed 25 September 2016), p. 1.

<sup>22</sup> Ador Vincent S. Mayol. "Bishop hits Duterte's Drugs List." in *The Philippine Daily Inquirer*, 11 August 2016, p. 2.



course of curbing this problem, legal processes are respected and human rights are protected; that drug dependents be treated with compassion and provided with opportunities to seek treatment; and that those who profit from this trade are made accountable.<sup>23</sup>

A group of inter-religious groups<sup>24</sup> in Pangasinan also issued their own pastoral statement where they express their desire to “join forces against the spate of summary killings happening in the wake of the...war on drugs” even as they called for an “end to the killings as criminality could be ended without sacrificing due process.”<sup>25</sup> They asserted further that “The nation must be purged from drug dealers yet the rule of law must prevail and human rights must at all times be respected.”<sup>26</sup>

A number of growing officials has also raised voices to protest against the killings. Vice-President Robredo has consistently called on PRRD to stop summary executions of suspected criminals and drug offenders. At the gathering of the National Federation of Filipino American Associations in the USA, Robredo pointed to the lack of concern of the

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<sup>23</sup> Raoul V. Victorino, Bishop Rodolfo A. Juan, Sharon Rose Joy Ruiz-Duremdes, Lissa Belle R. Brown, Rev. Rex RB Reyes Jr. and Reynaldo M. Natividad. “Hope Reintroduced into Nation’s Life.” In Commentary, *The Philippine Daily Inquirer*, 5 August 2016, p. A13.

<sup>24</sup> This group included the Catholic Archdiocese of Lingayen-Dagupan, United Methodist Church, Iglesia Filipina Independiente, Muslim Community in Dagupan City, Christian Evangelical Ministries Federation, Dagupan Chinese Baptist Church, Radha Krisna Hindu Temple, Church of Jesus Christ of Latter-day Saints, Philippines Urdaneta Mission, Bugallon Christian Church, Jesus Christ Saves Global Outreach Ministry, Good News Community Church and the New Life in Christ Foursquare Gospel.

<sup>25</sup> CBCP News. “Faith leaders united vs. summary killings. See <http://www.cbcnews.com/cbcnews/?p=84809>. 2016, p. 1.

<sup>26</sup> *Ibid.*

majority of the people in the killings and challenged everyone to be “more vocal.”<sup>27</sup>

The government official who has been the most vocal in her condemnation of the killings – and for which she has been demonized by the administration and its supporters at all fronts – is Senator Leila de Lima. In a privilege speech at the Senate, she confronted the issue head-on:

We cannot go on being indifferent to the daily executions, without ultimately becoming a nation bound by a collective sociopathy...This is our descent as a nation into the darkness that these men have created for us... My concern is not only the killings tallied by the PNP as the formal law enforcement agency. At least we can put the PNP to task in our official legislative investigations. My gravest concern lies with the vigilantes of the night now operating almost all over the country, those harbingers of death spreading the apocalypse of our dehumanization.<sup>28</sup>

Senator Leila de Lima vowed to work hard in unmasking the vigilantes or their handlers responsible for a significant number of drug-related extrajudicial killings in the country as Chair of the Senate’s committee tasked to investigate on the killings; however, she got sacked as chair after the testimony of Edgar Matobato, an alleged DDS assassin.

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<sup>27</sup> Joseph Lariosa. “Robredo: Extrajudicial Killings Must Stop,” in *The Philippine Star*, 8 August 2016, p. 1.

<sup>28</sup> Leila de Lima. “The Real Crisis We Face: Stop the Killings Now!” August 2, 2016, see <http://newsinfo.inquirer.net/802151/full-text-leila-de-lima-privilege-speech-drugs-killings#ixzz4N1fLrdGS>

Sen Panfilo Lacson, former PNP chief, and chair of Senate committee on public order and dangerous drugs, questioned the government's silence on the extrajudicial killings.

I have to hear a pronouncement from the palace and even from General dela Rosa that they are doing something to resolve those cases or looking for solutions to the summary killings. Need to support a Senate investigation for the vigilante killings... If for the vigilante killings, I think an inquiry is right. It's necessary to look into it. We should ask them, has it become a policy to allow or just turn a blind eye to vigilante killings? And 600 murders a month? If not even one case has been solved, we can ask the PNP: Is this the policy now? We don't care who kills or who are killed?<sup>29</sup>

Lawmakers have expressed strong support for PRRD's anti-drug campaign but stressed that due process and the rule of law must be upheld. Former Senate President Franklin Drilon posits: "We should urge Duterte to immediately charge the officials administratively or in court if there is evidence showing that they were involved in drug trafficking so the accused would be given the opportunity to defend themselves and clear their names. There should be no shortcuts. We should allow due process and the rule of law to take its course."<sup>30</sup>

*Buhay* representative Lito Atienza challenged his fellow members of the House of Representatives to speak up against extrajudicial killings.

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<sup>29</sup> Dizon, 2016, p. A17.

<sup>30</sup> Paolo Romero. "Lawmakers on Anti-Crime Fight: Follow the Rule of Law." in *The Philippine Star*, 8 August 2016, p. 19.

We are denouncing extrajudicial killings. Every life is valuable. We stand very solidly on the propagation of the culture of life, of valuing life; and never on the culture of death and execution of anyone without due process. After a while, the sight of blood and death will be common to us. We will deteriorate into a society where violence reigns and killings are accepted if these things are allowed to happen. The President should take note of that.<sup>31</sup>

Former Akbayan Rep Walden Bello, spokesperson for *iDefend* also expressed his group's opposition. In a statement, he wrote:

The spate killings of drug suspects indicate that the Duterte administration is 'simply addressing the symptoms instead of the principal cause of illegal drug use.' Most studies have shown that while only a small minority of the poor are drug users, illegal drug use is most prevalent among the poor and underprivileged, and the most likely reason is to escape from the harsh realities of poverty, hopelessness and powerlessness... Getting rid of drugs and crime by extrajudicial murder won't be accomplished in the promised three to six months. It won't be finished in six years.<sup>32</sup>

International institutions also expressed their rejection of PRRD's approach to solving the drug problem

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<sup>31</sup> Jovic Yee. "Solon to peers: Do Duty, Denounce Killings." in *The Philippine Daily Inquirer*, 7 August 2016, p. A6.

<sup>32</sup> Jovic Yee. "Don't Make War on Drugs War on Human Rights." in *The Philippine Daily Inquirer*, 13 August 2016, p. 6.

and both mass and social media have reported on their stance. The New-York based Human Rights Watch “expressed concern both by the drug-related executions and the state or security forces’ continuing extrajudicial of leftist activities.<sup>33</sup>

The United States has expressed concern over the spate of EJKs in the country sparked by the government’s intensified campaign against illegal drugs. In a statement issued by the Manila embassy, the US government manifested its concern:

We are concerned by reports retarding extrajudicial killings of individuals suspected to have been involved in drug activity in the Philippines...Our partnership with the Philippines is based on a shared respect for the rule of law, and we will continue to emphasize the importance of this fundamental democratic principle.. All of our security assistance promotes human rights through training content and by promoting professionalism, due process and the rule of law... We strongly urge the Philippines to ensure its law enforcement efforts are consistent with its human rights obligations. We strongly believe in the rule of law, due process and respect for universal human rights, and that these principles promote long-term security.<sup>34</sup>

John Kerry, Secretary of State met with Duterte and Foreign Secretary Perfecto Yasay, reported to have

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<sup>33</sup> Satur Ocampo. “Impunity on Extrajudicial Killings is a Marcos Legacy.” in At Ground Level, *The Philippine Star*, 13 August 2016, p. 5.

<sup>34</sup> Edith Regalado. “US: EJK Alarming.” in *The Philippine Daily Inquirer*. 12 August 1, p. 1.

mentioned the need to protect civil and human rights during talks. He held a joint press conference with Yasay and spoke of the need to protect human rights even as authorities seek to uphold peace and order. "I made it very clear that civil and human rights need to be protected even as we try to keep our society safe."<sup>35</sup>

The United Nations has warned that it was greatly concerned with the rise of EJKs. In a statement issued by the executive director of the UN Office on Drugs and Crime (UNODC) Yury Fedorov who indicated that he shared UN Secretary General Ban Ki-moon's condemnation of the summary killings, he posited: "I join the UN secretary general in condemning the apparent endorsement of extrajudicial killings, which is illegal and a break of fundamental and a breach of rights and freedom. The rise of drug-related killings contravenes the provisions of the international drug control conventions and do not serve the cause of justice."<sup>36</sup>

An investigative report in the *Times* magazine, provided a lack of basis why Duterte should be engaged in the tragic war against drugs. He provided the necessary statistics: as to cases of crimes against persons involving physical injury, cases of rape and robbery, extent of ownership of firearms, the Philippines has a much lower percentage of occurrence compared to many countries including those in the West. The writer posits that while the Philippines can be a deadly place, it is not especially so.<sup>37</sup> And

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<sup>35</sup> Camille Diola. "Kerry in Manila: Protect Human Rights while Keeping Society Safe." in philstar.com, July 27, 2016.

<sup>36</sup> Amando Doronilla. "Rising Death Squad Killings Alarm UN." in *The Philippine Daily Inquirer*, 9 August 2016, p.1

<sup>37</sup> "According to World Bank data, the Philippine rate of 9 intentional homicides per 100,000 people in 2013 makes it only slightly more dangerous than Lithuania (7) or Mongolia (7), and puts it on a par with Russia (9). The U.S. figure is 4." And when it comes to illicit opioid use, "the Philippine prevalence rate is just 0.05, compared to 5.41 in the U.S., and 3.30 in Australia. For

when it comes to illicit opioid use and cocaine, he reported that the prevalence rate in the country is much lower than other countries. Which is why he claims that these “statistics show what any visitor to the country may easily see: Filipinos are not degenerates, who need to be protected from themselves, but are mostly a nation of decent, sober, law-abiding and God-fearing people. The most revealing Philippine statistic is this: 37% of Filipinos attend church on a weekly basis. Less than 20% of Americans do.”<sup>38</sup>

Also expressing alarm were human rights NGOs. In a statement, the *In Defense of Human Rights and Dignity Movement* or *iDefend* (composed of 40 NGOs) said human rights should never be compromised even in the pursuit of a noble objective by the State like fighting criminality. “Illegal drugs are harmful. But by encouraging the police to use their guns to deal with it is even more dangerous and will not stop the vicious cycle of violence. It only creates a climate of fear, insecurity and helplessness.”<sup>39</sup>

Jose Manuel Diokno, head of Free Legal Assistance Group (FLAG) also posited that Duterte’s latest shoot-to-kill order is at the least, legally questionable. As adequate safeguards exist in the Philippines’ legal system - including requirements for court warrants for arrests - law enforcers should not be given “unbridled discretion” that can lead to abuses.<sup>40</sup>

“Virginia Suarez, *Kilusan sa Pambansang Demokrasya* chairperson, said that the government was equally responsible for the killings committed by vigilantes.

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cocaine, the Philippine figure is only 0.03. In the U.K., it is 2.40, in Australia 2.10 and in the U.S. also 2.10.” (See Iyengar 2016, p. 7).

<sup>38</sup> Rishi Iyengar. “The Killing Time: Inside the Philippine President Rodrigo Duterte’s War on Drugs.” In *Time Magazine*. 25 August 2016, p.6.

<sup>39</sup> Regalado, 2016, p.1.

<sup>40</sup> Allan Nawal. “Shoot-to-kill Order vs. Narcopoliticos.” in *The Philippine Daily Inquirer*, 6 Aug 2016, p. A10.

Every citizen has the right to live and be protected in his own country, and that it is the government's responsibility. It has the duty to resolve those killings carried out by vigilantes. Instead of safeguarding the people, the people are rendered more insecure and unsafe, and that shows immediately how ineffective the campaign of the government is. Those drug users should not be looked up as criminals, but as victims in need of intervention. They are forced into drugs because of poverty.<sup>41</sup>

Ordinary citizens also courageously state their opinions in the public sphere. A student writes

It isn't the first time that human rights are violated in the country, but we should ask ourselves why it is encouraged today, and why many turn a blind eye to the bloodshed. The violations of Filipinos' rights are splattered across the pages of our history books, and yet, here we are on a new battleground, adding many more names to the *desaparecidos*. You know why there hasn't been a logical take on supporting extrajudicial killings. Because there is none. Because beyond the stubborn answers and below the belt bashing, we know that murder is plainly wrong.<sup>42</sup>

Another opinion shared: "Why the heartlessness of exacting massive collateral damage on our people? Why the need for sacrificial lambs? Is life this too cheap for Filipinos today? Why curtail due process? The number of casualties or

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<sup>41</sup> Yee, 2016a, p. 6.

<sup>42</sup> Ragene Andrea L. Palma. "In my 'Burgis' Opinion." in Young Blood, *The Philippine Daily Inquirer*, 11 August 2016, p. A13.



victims seems to rise by the hour. They are humans, sinners just like us that need forgiveness and salvation... If the rotten judicial system is the obstruction that we complain about in bringing the culprits to justice, then by all means, why not attack the system instead of resorting to the rottenness of our very own hearts?"<sup>43</sup>

An opinion writer in a broadsheet added his own voice:

In fact, the 'bloody war on drugs' in the country has already made headlines all over the world on news sites like Time, The New York Times, Daily Mail and so many more in the short span of time that the Duterte administration has proclaimed their war on drugs, over war on drugs but were never given due process or any chance to prove their innocence. In many instances a simple cardboard sign was placed by the victim with the word - 'Pusher' written on it. We can't allow this to be the norm. What's to stop someone from killing an enemy that may not had anything to do with drugs and just claiming they are a pusher or an addict after the fact? At that point they won't be able to defend themselves and it will be too late.<sup>44</sup>

A university professor also wrote about his stance on this matter: "The rule of law must be observed because in a democratic society no one must be above the law. Yet, the undeniable reality today is that, rightly or wrongly, the majority of our people also trust the Duterte administration

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<sup>43</sup> Reni M. Valenzuela. "Drug Use Pandemic among Rich, Powerful." in PDI Opinion, *The Philippine Daily Inquirer*, 5 August 2016, p. A14.

<sup>44</sup> Tony Katigbak. "No to Extrajudicial Killing." in Introspective, *The Philippine Star*, 10 August 2016, p. A11).

in its hard-line approach against criminality, which sooner or later will leave thousands, noticeably the poor without a chance at reform or redemption.”<sup>45</sup>

### **The Country’s Ethical Foundations**

The most recent poll survey results conducted by Pulse Asia showed that President Duterte has a 91% approval rating; one will not be surprised if this percentage will remain high in the months to come. Paralleling the election results, his avid supporters cut across the A to D sectors of society, the professionals and agricultural workers, the Moro people and the millennials and even among the informal settlers who have been most victimized by the killings. What accounts for this, given how morally wrong – at least in the eyes of his critics - his administration’s approach to dealing with the drug menace is? What does this phenomenon indicate as to where the Filipino people are in terms of their grounding in social ethics?

If social ethics are to be the “set of rules or guidelines, based around ethical choices and values that society adheres to”<sup>46</sup>, which “represents the collective experience of people and cultures, the sort of ethics that often acts as a sort of ‘code of conduct’ that governs what is and is not acceptable, as well as providing a framework for ensuring that all members of the community are cared for.”<sup>47</sup> It results from human creations, adopted by a particular social order and grounded on moral options to do right or wrong, but which could differ from one culture or community to another as a “rule that is applied in order to curb the relationship with

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<sup>45</sup> Christopher Ryan Maboloc. “Cruel Choices.” in Commentary, *The Philippine Daily Inquirer*, 8 August 2016. p. A-17.

<sup>46</sup> wiseGEEK. “Clear answers for common questions.” See <http://www.wisegeek.org/what-are-social-ethics.htm> (accessed 1 September 2016).

<sup>47</sup> *Ibid.*

others so that good communication can be established and familiar.”<sup>48</sup>

Members of a community are expected to adhere to “some broad standards (of behavior)...in the course of regularly interacting with each other; (t)hese are sometimes reflected in laws or legal codes — like prohibitions against killing and thievery, for instance.”<sup>49</sup> Human desires and social ethics relate to each other naturally. What we want in life provides us with the justifications in developing our cognitive, affective and psycho-motor capabilities and the kind of relationships we establish with other people and the rest of creation.<sup>50</sup>

Has the vast support to PRRD’s approach in curbing the drug menace indicate where the Filipino people are in terms of what kind of “set of rules/guidelines, code of conduct and standards of behavior” they are now embracing? But avid human rights advocates – who at present seem to be a small minority - might be heartbroken if the social ethics at work in Philippine society provides the President with full support to his campaign. The older ones among them might, in despair, cry out: “What happened to all the gains of human rights advocacy work through the last forty years since the days of the Marcos authoritarian rule?” Those dark days and nights – which saw more than 70,000 Filipinos imprisoned, 34,000 tortured and close to 4,000 killed and disappeared – need to be revisited for us to crystallize what sort of ethical guidelines and moral frameworks should rule in our nation today.<sup>51</sup>

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<sup>48</sup> This quote has no known author. The article is from <http://culturesocial.blogspot.com/2011/08/social-ethics-in-society.html> (accessed 1 September 2016).

<sup>49</sup> Sicam, 2016, p. E-4.

<sup>50</sup> Cabot, Richard. 2016. “Aims of Social Ethics.” See <http://www.thecrimson.com/article/1925/5/8/aims-of-social-ethics-explained-by> (accessed on Sept 2016).

<sup>51</sup> cf. Sicam, 2016, p. E-4.

But should we be surprised at this turn of events? Have we as a nation – referred to as an “imagined community” by Benedict Anderson – coalesce together as a people with a common vision of what should be the ethical and moral framework of our Republic? But can we – fragmented geographically as an archipelago of more than a thousand islands, separated by the different languages of more than a hundred ethno-linguistic peoples, divided as a result of our long colonial history, fighting dirty little wars with each other and constantly bickering during election periods – come together to build a nation state that is truly free, democratic and caring for the weak and disadvantaged? And has 500 years of Islam and Christianity – Abrahamic religions with strong moral foundations – made a difference in our world view?

Maybe not, if we as a people continue to hold on to our ancestors’ indigenous belief system and if our faith in Islam and Christianity do not allow us to internalize important ethical and moral values that will help us live in solidarity with one another where justice and compassion are internalized in our code of behavior. Macdonald’s anthropological study among our indigenous people might be able to shed light on the roots of our belief system:

Ethics was essentially of a non-religious nature... People obey commandments...because they are members of communities & human evolution required collective behaviour to be ordered in such a way to have better communication, cooperation & survival...Pre-Spanish religions... were not primarily interested in ethics. Interpersonal codes of conduct were not part, or at least, not an essential part of religion. People were ethical beings and behaved accordingly not because they believed in particular spirits or deities, and practiced trances, seances, possession, animal

sacrifices, or any other form of ritual activity. They held a secular – and not a religion-based morality & code of ethics. In such a case ethics are justified by societal immanence, not by transcendental principle.<sup>52</sup>

But is it to be assumed that since our ancestors' "ethics was essentially of a non-religious nature" – but which maybe also ours if these were passed on to us, their descendants – our ethical and moral principles were not grounded on religious faith but on social immanence? Can we conclude that our people's conversion to Islam and Christianity have not allowed us to embrace the biblical notion of human dignity, which is the foundation of the human rights discourse. So, does it follow that it is only through the West that this discourse arrived in our shores as vehemently posited by leaders of State from Lee Kuan Yew to PRRD?

There is no denying the fact that the "philosophy of human rights" which "attempts to examine the underlying basis of the concept of human rights and critically looks at its content and justification" is founded on one of the oldest Western philosophies, which was a product of a natural law, stemming from different philosophical or religious grounds. From the great Greek philosophers as Socrates, Plato and Aristotle to the latter Western thinkers including Hume, Weber and Rawls, various theories have arisen as to the basis for human rights.<sup>53</sup> Today, there is a vast literature

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<sup>52</sup> Charles Macdonald. "Folk Catholicism & Pre-Spanish Religions in the Philippines." in *Philippine Studies*, 2004, 52, 1, pp. 80-81.

<sup>53</sup>Hume posited that "human rights codify moral behavior which is a human social product developed by a process of biological and social evolution", Weber described it as a sociological pattern of rule setting and Rawls wrote that "individuals in a society accept rules from legitimate authority in exchange for security and economic advantage, constituting a

from both philosophy and social theory that defines the importance of human rights in the world today.<sup>54</sup>

The Catholic Church has always preached about the sanctity of human rights. Pope Francis has issued statements in this regard. His words:

Every civil right rests on the recognition of the first and fundamental right, that of life, which is not subordinate to any condition, be it quantitative, economic or, least of all, ideological... Today the Church is renewing her urgent appeal that the dignity and centrality of every individual always be safeguarded, with respect for fundamental

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social contract." Two other theories dominated this discourse, namely "interest theory (argues that the principal function of human rights is to protect and promote certain essential human interests) and the will theory (attempts to establish the validity of human rights based on the unique human capacity for freedom". Moral, religious and even the realm of the biological order are the basis for the natural law theory of human rights. Socrates and his philosophic heirs, Plato and Aristotle, posited the existence of natural justice or natural right (*dikaion physikon, δικαιον φυσικον, Latin ius naturale*). Of these, Aristotle is often said to be the father of natural law,<sup>121</sup> although evidence for this is due largely to the interpretations of his work by Thomas Aquinas. See ([https://en.wikipedia.org/wiki/Philosophy\\_of\\_human\\_rights](https://en.wikipedia.org/wiki/Philosophy_of_human_rights), accessed 17 August 2016).

<sup>54</sup> The richness of philosophical schools of thought dealing with human rights would further flourish towards the 20<sup>th</sup> century with philosophers like those of the Critical School and Emmanuel Levinas who was a significant contributor to the field of philosophy, phenomenology, and religion; his main thesis of Levinas is that to be a subject is to take responsibility for others as well as yourself and therefore responsibility for the one leads to justice for the many; to be a subject is to be rational human being capable of moral decisions. As a subject, all of us have the right and duty of a human person to demand and give respect."(Sta. Ana 2016).

rights, as her social teaching emphasizes. She asks that these rights really be extended for millions of men and women on every continent wherever they are not recognized. In a world in which a lot is said about rights, how often is human dignity actually trampled upon!<sup>55</sup>

A woman theologian asserts the Church's right to speak up in the face of human rights violations:

What is 'moral' to various sectors of society is contentious enough. More complication arise when the state lets loose forces that operate beyond the pale even of civil law, like the campaign against drugs and the rising body count of those killed on mere suspicion of being drug users and pushers. Whether intended or not, the President, by his mere pronouncements, has unleashed a deadly scourge, both legal and extralegal, that now sows death and terror in the streets. Against this, the church certainly has an obligation to raise its voice...It is the fundamental sense of value and inviolability of the human person which makes the church pernicious in its insistence that the Duterte administration should desist from giving its operatives the license to kill. The church sources its dissent and disquiet from a conviction deeper than

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Pope

Francis.

See

[http://www.brainyquote.com/quotes/authors/p/pope\\_francis.html](http://www.brainyquote.com/quotes/authors/p/pope_francis.html) (accessed 18 August 2016).

mere judicial-rights thinking as it has developed in the West.<sup>56</sup>

Maggay is right in her assertion that before the Western notions of human rights entered our discursive field, we as a people have evolved an ethical framework but not of the religious kind but grounded in our desire to organize tribal communities that can survive the vicissitudes of life because they are better able to communicate with each other and coordinate their efforts at harmony and solidarity. Many ethnographic studies conducted in various parts of the country have documented the *Lumad's* accomplishments - since time immemorial up to the present times - in the field of evolving ethical guidelines e.g. conflict-resolution approaches and property rights guidelines.<sup>57</sup>

Maggay's contention takes on added significance when one encounters two important historical narratives written "from below" as those of Sturtevant and Iletto. Sturtevant made a study of the pre-1896 revolts in Luzon which were "led by local 'messiahs' and others by 'bandit' chiefs", who embodied rural aspirations such as freedom from taxes, reform of the tenancy system, and the restoration of village harmony and communalism."<sup>58</sup> For Iletto, this helped to clarify the notion of "the revolt of the masses" thesis by showing how the variations in Philippine social structure gave rise to a peasant tradition of unrest, which is called the "Little Tradition" distinct from the elite-led

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<sup>56</sup> Melba Padilla Maggay. "Church-State Tensions on Human Rights." in *The Philippine Daily Inquirer*, 12 August 2016, p. A10.

<sup>57</sup> See for example: E. Arsenio Manuel's - The Evolution of the Concept of Property and Land Ownership among the MANUVU' of Central Mindanao, Raffy Tianero's Violence and Christianization in Manobo land and Karl Gaspar's Manobo Dreams in Arakan: A People's Struggle to Keep their Homeland.

<sup>58</sup> David Sturtevant. *Popular Uprisings in the Philippines* (Ithaca: Cornell University Press, 1976).



movements for independence which belongs to the “Great Tradition.”<sup>59</sup>

By documenting the exploits of such leaders as Apolinario dela Cruz (known as Hermano Pule), Iletto pointed out that “the various religious leaders...who with their peasant followers formed their own communities, harassed landowners and confronted the armed might of the constabulary” *were not* “simply ‘religious fanatics’ or ‘frustrated peasants’ blindly and irrationally reacting to oppressive conditions.”<sup>60</sup> And what brought them together – in *Hermano Pule’s* case the organizing of the *Confradia de San Jose* and their singing of the *Pasyon* during Lent – provided the members with a faith-based revolutionary framework guided by principles of concern for one another and working for the common good.

Such values would be decoded later in Emilio Jacinto’s *Kartilya ng Katipunan*, which served as the guidebook for new members of the organization. Written first by Andres Bonifacio, it was revised by Jacinto into a Decalogue. Some of the important items of the *Kartilya* that manifested a high ethical sense of the movement included: “3) True piety is the act of being charitable, loving one’s fellowmen, and being judicious in behavior, speech and deed. 4) We are all equal, regardless of the color of their skin; while one could have more education, wealth or beauty than the other, none of them can overpass one’s identity, 5) A person with a noble character values honor above self-interest, while a person with a base character values self-interest above honor... 8) Defend the oppressed and fight the oppressor.”<sup>61</sup>

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<sup>59</sup> Reynaldo C. Iletto. *Pasyon and Revolution: Popular Movements in the Philippines 1840-1910* (Quezon City: ADMU Press, 2011), p. 6.

<sup>60</sup> *Ibid.* p. 5.

<sup>61</sup> Emilio Jacinto. “Kartilya ng Katipunan.” Primer of Katipunan. See

It is therefore not surprising that when the Republic was born and through the revisions of the Constitution, one finds “the concept of human rights at the center of that expansive document – a veritable fixed compass that orients citizens to the limits of governmental power... As far as the Constitution’s framers are concerned, these rights have a rational basis and are unconditional.”<sup>62</sup> The problem as seen by David is that PRRD “privileges the security of the State over the security of the individual person. Whereas, human rights encompass a wide range of rights – legal, political, economic, and cultural, etc. – Duterte puts first priority on the people’s right to security and material welfare.”<sup>63</sup> Thus the following question needs to be asked: “Why can’t a suspected offender’s basic constitutional right to presumption of innocence be considered as vital to his/her dignity as the materials requirements for a dignified existence?”<sup>64</sup>

## Conclusion

This paper has presented the current realities in the country under PRRD, specifically in reference to his war on drugs and the absence of a strong public clamor opposing his approach that involves EJKs. It attempts at explaining why PRRD won the recent elections and why he continues to have popular support from the vast majority of the citizenry who provide him with his needed legitimization to pursue his draconic fight to end drug addiction which has justified the horrific means. It privileges voices from out of the wilderness among a small minority of courageous anti-EJK advocates whose opinions seem not to make the body politic be more concerned about the moral implications of the State-sponsored violence.

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[https://en.wikipedia.org/wiki/Kartilya\\_ng\\_Katipunan](https://en.wikipedia.org/wiki/Kartilya_ng_Katipunan), (accessed 25 September 2016).

<sup>62</sup> David, 2016, p. A10.

<sup>63</sup> *Ibid.*

<sup>64</sup> *Ibid.*

PRRD has claimed a number of times that the principle behind his critics' opposition to the EJKs – the maligned human rights discourse - is an import from the West and means nothing to him and has no relevance in his crusade to bring total change to the Republic. He has used strong expletive language in referring to international and local human rights advocates; no one has been spared, not the UN Secretary General or the President of the United States. Hardly any sign can be discerned within the first hundred days of his Presidency and the near future that he will change his opinion on this matter.

The paper disagrees with his contention. While anthropological studies show that our ancestors' indigenous religious belief did not provide a strong ethical foundation (compared to those of Islam and Christianity), our ancestors found a way to evolve ethical guidelines that helped establish communities of solidarity and harmony among themselves. Ethnographic studies conducted in the contemporary times indicate the sophistication of customary laws that guided property rights and conflict resolution approaches. This tradition persisted through the pre-1896 revolts up to the framing of our present-day Constitution.

This juncture of our country's contemporary history has placed many well-meaning Filipinos at a quandary; we are in a difficult situation now that brings about perplexity, uncertainty and insecurity. This is especially true for those who did vote for PRRD, believing that he was the one who could bring about a radical transformation to this weak State. While still optimistic about his administration's peace initiatives, curbing corruption and inefficiency in the State bureaucracy, cutting down on the oligarchy's control of the economy, supporting strong ecological concerns and uplifting the poor from age-old inequality, they worry about this "dark cloud hovering over the Republic" if his drug war persists to claim more lives, who are mainly the poor, and some of whom could include innocent one. I count myself as

part of this crowd who now are hardly ambivalent as to where they stand in the issue of EJKs.

To paraphrase the song of my youth, I can only wish that I could sing this refrain: *'If PRRD and the best kind of people in his circle / Could be people to defend the human rights of all people everywhere / There'd be a lot less people to worry about / And a lot more people who care.'*

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