

Position Paper on Urban Violence

SEVEN ESSENTIAL QUESTIONS TO ASK ABOUT THE PHILIPPINE WAR ON DRUGS

ANSWERS FROM BAGONG SILANG, METRO-MANILA

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A position paper on urban violence prepared in collaboration between Balay Rehabilitation Centre and DIGNITY-Danish Institute Against Torture for the Global Alliance.

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Introduction

In this brief document, we seek to answer some fundamental questions about Philippine President Rodrigo Duterte's 'war on drugs' as it plays out to deadly effect in urban areas of the Philippines. Who is killed and who kills? Does the Philippines have a drug problem? Does the war work? What are the social consequences of the war on drugs? What moral categories does the war work through and produce? What are the effects for policing actors in the communities? Answering these questions is crucial for gauging the effects of the war and its efficacy. On the basis of the answers, we reach the conclusion that the war does not work as intended, but instead has grave consequences for social cohesion and its effects will be felt for many years in the future. Hence, the sooner it can be stopped the better.

These questions and the answers to them are important beyond the present moment. They speak to what kind of society the Philippines is and what kind of society it wants to be. The Philippines has been a country which, due to its traumatic history of dictatorship and martial law, has learnt the value of human rights compliance. At the time of writing, support for Duterte's war is slowly eroding, according to Philippine research institute the Social Weather Station (Social Weather Survey, 2017) and our own work. However, we find that the changing mood in the general populace is not being expressed in the language of human rights, or in terms of the rule of law. On the contrary, human rights and associated institutions are derided for their assumed protection of criminals. Instead, the concern is expressed through fears for neighbours, loved ones and self.

This suggests that human rights organizations may be wise to begin sifting through their lexicon and shifting their emphasis: not so that 'rights' are not important, just so that 'human' is placed at the center of the resistance to the war on drugs. This would entail that while we recognize the destructive nature of drugs, we also begin to imagine other ways of dealing with the problem, including 'harm reduction' and 'poverty alleviation' approaches – especially as the 'low intensity' strategy of going after users and small-time street pushers has proved ineffective in eradicating the illegal drug industry – it only eliminates poor people. Centering the 'human' in our work against the war on drugs would also entail bringing to the forefront its social consequences, such as corruption, broken trust between state and society, and destruction of social capital. This paper begins to provide evidence for such consequences and points to some possible avenues for renewed protest.



This paper is organized in seven sections, each addressing one question. The answers are based on a decade of interventionist and research engagement in one of the hardest-hit geographical areas of the war on drugs, Bagong Silang. We have interviewed police officers, young fraternity members, community leaders, politicians, ordinary residents and local government officials. We have carried out surveys and human rights documentation. We have implemented projects for youth, parents and officials. And since the war on drugs began, we have been documenting its lethal progress and caring for those left behind.

Bagong Silang is located at the very northern boundary of Caloocan City, a city that has been an important site for the war on drugs, not least because of its police force. In September 2017 the Caloocan police were given an award for the quality of their policing in the war on drugs in mid-2017 – only to be dethroned a week later amid allegations of massive corruption¹ in a growing scandal known as ‘tokhang for ransom’, which revealed a police practice of kidnapping people and extorting money by threatening them with drug charges (Coronel, 2017). Hence, the war on drugs in Bagong Silang has been exposed as facilitating both homicidal and extortionist practices. Since it is unlikely that Bagong Silang is unique in this regard, the answers to the seven questions may be applicable beyond its boundaries. They might provide new ideas for healing a nation at war with itself.

¹ [Http://newsinfo.inquirer.net/931010/best-to-bashed-calooacan-police-sacked-en-masse](http://newsinfo.inquirer.net/931010/best-to-bashed-calooacan-police-sacked-en-masse). Accessed 27 November 2017

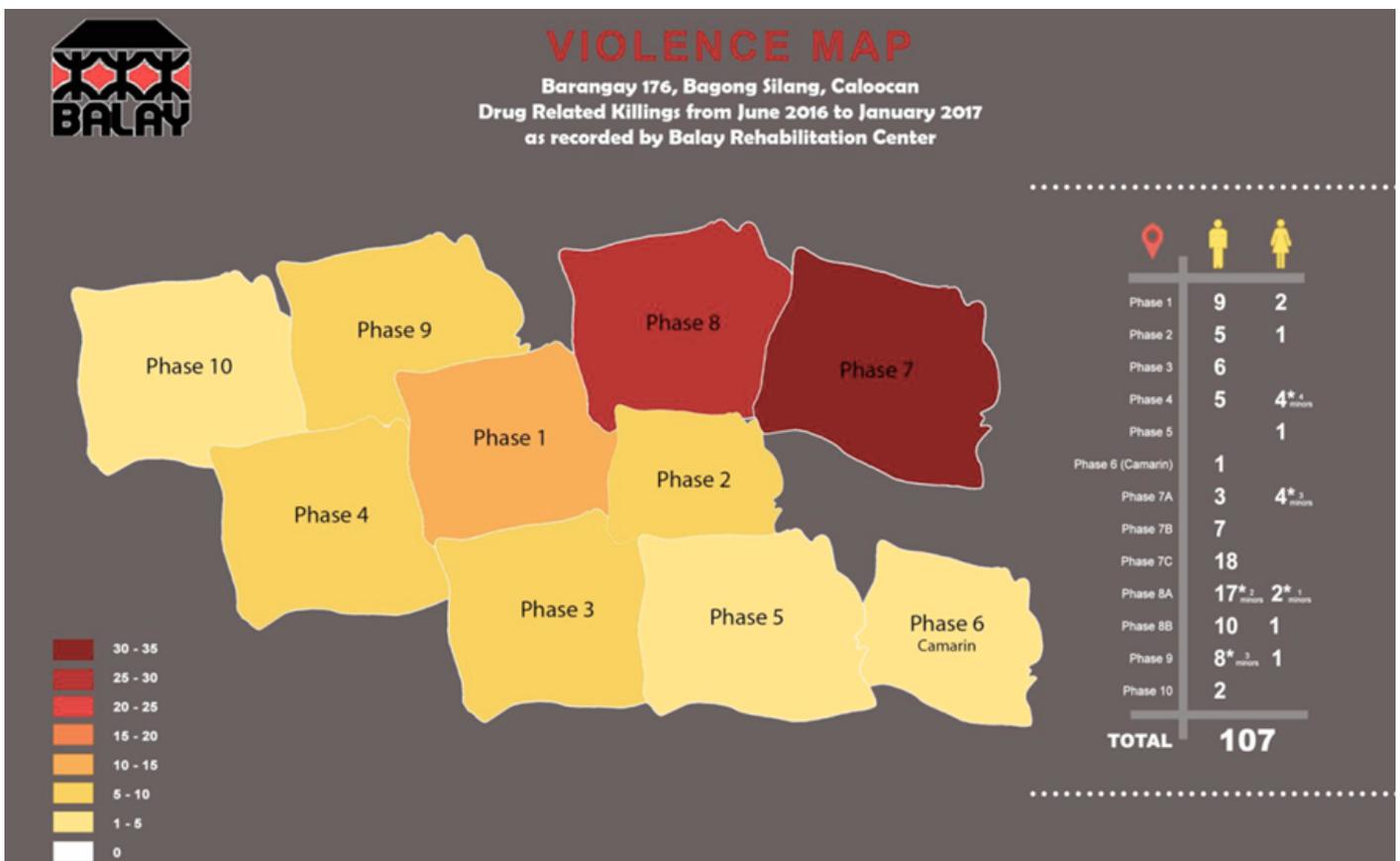
1. WHO IS KILLED?

The vast majority of the victims in the war on drugs are young, unemployed men from impoverished neighborhoods, especially around Metro Manila. Although women, children, by-standers and even high-profile drug syndicate members have been among the victims, the vast majority of those killed are men from urban slums, as documented in reports of drug-related killings (Amnesty International 2017, Human Rights Watch 2017).

This fits the general profile of drug users in the Philippines, where data shows an average age of 31 years; 52% are single, 53% are unemployed, 44% are residents in urban areas, especially Metro Manila, and the ratio of male drug users to female ones is an estimated 14:1 (DDB 2015: 47; UNODC 2013: 109).

According to data gathered by the Balay Rehabilitation Center, which monitored drug related killings in the poor community of Bagong Silang on the edges of Northern Manila, 107 people were killed between June 2016 and January 2017. Of these, 76% were men, 12% women, and 12% children. While the number of male victims is predictably high, the number of women and children, most often considered bystanders, is also striking. A demographic profile of the victims shows common characteristics: they mostly had elementary or secondary education; their incomes were below average or even below the national poverty-line; they engaged in low-return livelihoods like vending, tricycle driving and construction work. Furthermore, the victims were either known to have been or suspected of being engaged in drug related activities as users, runners or a pushers (Balay 2017).

Since the war on drugs was initiated on June 30th 2016, and regardless of whom one asks, thousands of people have been killed as a result of the drug policy and the violence that has followed it. It is difficult to be conclusive about the specific number as the media have stopped counting bodies and the available statistics point in many directions. However, one inescapable conclusion is that it is the youth, the unemployed and the poor that are targeted for killing: the country's most marginalized, vulnerable and exposed citizens, especially the urban poor. As local activists argue, "there is a need for a war on poverty, not a war on the poor".



Map showing the distribution of killings documented by Balay and its partner until April 2017. There are probably more killings as these are just the ones documented by Balay working primarily in Phases 7 and 8. Phases are local government units.

2. WHO IS BEHIND THE KILLINGS?

It is suspected that there are several actors involved in the killings in one way or another. These include police officers, vigilantes, gang members, community leaders, and even local residents.

According to reports by Balay's partners the killings take place both in broad daylight and at night, and in a variety of places: in public, at home, and in police stations (Balay 2017). But, who is really behind the thousands of killings? In most cases, there is a lack of specific evidence to give a comprehensive answer to this. Most commonly victims are found dead in the streets after two unknown perpetrators on a motorcycle have conducted a drive-by shooting, colloquially referred to as 'riding in tandem', leaving little to no trace of evidence behind. Other times, drug suspects have died in what is referred to as 'legitimate' police operations, where police officers claim to have acted in self-defense as the suspect resisted arrest. These two types of killings are in line with Balay's observations, which suggest that the killings are carried out by police officers during anti-drug operations, by unidentified vigilantes on motorcycles riding in tandem, or even by police officers when they take a suspect into custody (Balay 2017).

Indeed, there has been no lack of accusations against the police, and numerous sources point to the police as the main perpetrator of the killings. This means that the killings are state-sanctioned. Human rights organizations argue that the police systematically target and kill the urban poor; act as vigilantes and contract killers; plant evidence; fabricate police reports; outsource killings to 'guns for hire', and receive commissions for each drug personality killed (Amnesty International 2017; Human Rights Watch 2017).





The police, on the other hand, argue that the killings are not connected to them but are mainly a result of vigilante attacks and rival gang conflicts. As a way of structuring the total number of deaths, official police statistics distinguish between the categories of 'deaths in legitimate police operations', 'deaths under investigation', and 'vigilante-style or unexplained killings'. This method of counting significantly obscures the number of killings with unjustifiable police involvement. The number listed for 'deaths under investigation', for example, is about half the total number of killings that independent organizations see as cases with potential drug- and/or police involvement. This suggests an inefficient justice system², and places the validity of the numbers from official police records in a highly questionable light. The police are investigating the police..

While there are cases that support the claims about police involvement in the killings, a more critical look at the data, including what takes place on the ground, suggests that this is a simplified perspective as to who is really behind the killings. The police become an easy target in a more complex social reality, where motives of killings vary from orders, corruption and money-making practices to revenge, security concerns, and moral deliberations. Those behind the killings can be police officers, vigilantes, gang members, community leaders and community members; and they can be acting either on their own accord or as part of a network in some shape or form. However, and maybe most importantly, while the numbers of deaths are catastrophic, they do not tell the story about the effects of the war. For that we need to look beyond the death toll to the social consequences of the war.

² In an inventory report by the Department of Justice, it was announced that 71 murder and homicide cases had been filed before the Department of Justice in the period between July 1st 2016 and August 22nd 2017. This is a period with thousands of independently documented killings. Out of the 71 cases, 35 were dismissed, 19 were filed in court, and 17 are pending preliminary investigation (Department of Justice 2017).



3. WHAT ARE THE SOCIAL CONSEQUENCES OF THE WAR ON DRUGS?

Death statistics do not tell the whole story of the effects of the war. While the drug war for many has reduced crime, the war has had far-reaching consequences that leave communities less safe.

Those who support the drug war would say that the killings have driven criminals away, citing how it becomes easier to walk the streets. Taxi drivers, who are vulnerable to hold-ups, would have a similar opinion. However, the popularity of the drug war seems to be decreasing as people fear that they, or people they know, could become the next victim.³ On a wider scale, the consequences are dire. For one thing, the war has caused gang conflicts to rekindle as the risk of being named as a drug suspect increases. Second, many families have lost loved ones. Apart from bereavement, losing a key breadwinner sends an already-poor family into a financial crisis. Third, the war on drugs has created a climate of fear, due partly to the number of killings but also because of the inscrutability of the terrain, since nobody is beyond suspicion, as we elaborate on below. This, in turn, has consequences for the social fabric: fear, mistrust and vigilance have become controlling factors in the social relations of many poor urban residents.

³ <http://news.abs-cbn.com/news/10/03/17/palace-admits-sws-survey-on-drug-war-shows-ugly-truth>. Accessed November 27 2017.

Due to the correlation between the killings and those suspected of involvement in drugs, people stay away from anything and anyone that could potentially be drug-related. It is not only those suspected of being involved with drugs that are at risk; it is also those associated with a suspect, and even bystanders who are simply in the wrong place at the wrong time in the event of an unexpected attack. This climate of fear is actively enforced by policing actors in an attempt to make drug personalities change their ways.

It is the unpredictability of when and from where violence may emerge that challenges and reconfigures social relations during the war on drugs. This includes the erosion of trust between community members. It is not only about those involved in drugs, but also about who provides information regarding activities of illegal drugs to the police or community leaders. As a part of the police operations conducted in the war on drugs, there is a surveillance system in the community, where some community members operate as 'watch dogs' who report any misconduct about drugs to the police, because they believe it will clean up their community. The names of suspects are put on a list, which is used as a basis for police operations – in other words this is a list you do not want your name on. Therefore, due to the risk of being associated with drugs and the many killings at the hands of the police, there is constant vigilance among the residents as to who can be trusted with information, who should be perceived as the enemy and who can be treated as a friend.

The combination of unpredictability in the emergence of violence, uncertainty as to who provides information, and eroded trust among community members means that, for many residents, fear becomes the main mode of navigating the social terrain. This entails a strategy that involves keeping a distance to everyone, so that even relations with the closest neighbor change.

The disruption of the social fabric inside communities is one of the unintended consequences of the war on drugs, and it emphasizes the point that the primary significance of violence is social and lies in how people negotiate violence. Hence, the threat of violence alone can alter the ways in which people engage with each other. While trust was never unconditional between residents in Bagong Silang, people now struggle to figure out who to trust and how. As a consequence, they find it harder to survive because survival is partly about knowing who to trust for what.



4. WHAT MORAL CATEGORIES HAS THE WAR ON DRUGS PRODUCED?

The war on drugs has produced moral categories of inclusion and exclusion, where drug personalities are deemed worthless to the community. In this atmosphere labels such as criminal, holdaper (robber, lit. hold-upper), addik (addict) and scalawag (hooligans) become justification for violence and ultimately, such moral categories even define who gets to live and who is killed.

From the very start of the war on drugs, Duterte has been very clear and very vocal about who has the right to protection and who does not. In this distinction of inclusion and exclusion, drugs are what you are measured by. If you are involved in drugs, you are excluded from protection, and essentially deemed worthless to the community. This is based on a perception of drugs as the root of all evil – something that generates crime, rape and murders, and destroys families. These elements make up the narrative of a pervasive drug crisis in the Philippines, where drugs are seen as the cancer of society. It was this narrative that got Duterte elected.

Drug personalities – *adiks* and pushers (along with other categories like *holdapers* and scalawags) – embody the threat against whom violence is deemed legitimate, even encouraged, because their deaths will make for a safer and more secure community. The assumption here is that drugs are the cause of all other crimes – something very hard to substantiate. In fact, much crime is carried out by police officers (Coronel, 2017). Nonetheless, it is through this narrative that categories of ‘killable bodies’ are produced, where those associated with the drug trade at large are excluded from the rule of law if they do not change their ways. Killings of drug personalities are even considered to be self-induced, because these persons were aware of the risks of transgressing the law.

The war on drugs has become a question of morality rather than legality, where the preoccupation with drugs and crime outweighs consideration for human rights and national laws. Justice is not mediated through the authority of the law, but rather through violent means of order-making, because the end is seen as justifying the means. In this sense, the war on drugs has pushed the boundaries of violence. What would earlier have been condemned becomes normal, and illegitimate policing practices are morally justified. This is based on categories of inclusion and exclusion, which ultimately define who gets to live and who is killed. In this vein, human rights organizations have been berated for not displaying outrage at sensational incidents in which victims have been killed, ravaged and mutilated by addicts. This is also the jagged line that animates Duterte’s anger against the human rights discourse as one-sided, insensitive and biased. This appears to be a key note in the dissonance between the drug war and human rights, as Duterte exclaims that those victims are humans too. The same thing is apparent in conversations in the neighborhoods when a child is raped or an elderly person is mutilated by an addict relative. All these diverse forms of crime have been united under the umbrella of drugs. Balancing concern for different victim groups is the crucial dilemma that human rights organizations need to address in better ways than simply distancing themselves from the war.

5. WHAT DILEMMAS HAVE THE WAR ON DRUGS POSED FOR COMMUNITY LEADERS?

Community leaders are squeezed between the community in which they live and the state that demands their loyalty.

As part of the policing structure in the war on drugs, the central state has involved local community leaders to make it as effective as possible. Community leaders must navigate between the government, from which they get their orders, and the communities in which they live. Only by maintaining good relations with both are they able to maintain order. This sometimes puts them in a situation so extreme that it can end in a revenge killing, and local policing becomes less effective as trust is eroded.

As community leaders are called upon by the state to be the eyes and ears of the war on drugs, they are under pressure to collaborate with both the local government and the police. This collaboration involves monitoring assigned areas and making lists of suspected drug personalities for police operations. This task requires intimate knowledge of those living in the community. But, while moving policing practices into the heart of the community creates a resource for the state, it places the community leaders in an agonizing and life-threatening double bind. It is a resource from the perspective that 'winning the war on drugs' is supposed to lead to a more secure future without drugs and crime. It is a double bind because it puts the leaders in inevitable harm's way.

By actively engaging in the war on drugs, community leaders are placed in two lines of fire. It is public knowledge that they collaborate with the police and that they are the ones contributing to the lists that have been the basis for thousands of killings. Thus, on the one hand, as the source of information, they are exposed to revenge attacks from police victims' families and friends. However on the other hand, should they not provide enough information to the police they become a police target themselves, as they can be accused of being an asset of the drug dealers.

This impossible squeeze on community leaders between the agenda of the government and the community they are meant to serve embodies the fear and insecurity that pervades the society as a result of the war on drugs. Such destruction of trust between government and community is to the detriment of all parties.

6. DOES THE PHILIPPINES HAVE A DRUG PROBLEM?

Contrary to popular belief, according to statistics on drugs and international experts the Philippines does not have a major drug problem.

As part of Duterte's campaign in the presidential election, he warned the population of the emergence of a narco-state with claims of as many as three to four million drug users in the country (Inquirer 2016; Philstar 2016). He painted a picture of a deluge of drugs and drug-related crime engulfing the Philippines, including 'contamination' by 10 million drug users before the end of another presidential rotation in 2022. Essentially, by presenting drug use as an already-present crisis, he introduced a false sense of emergency and promised to act with an iron fist against drugs and crime in order to save the nation. However, a closer look at the numbers behind these statements puts the gravity of a national drug problem into question.

According to the Dangerous Drugs Board (DDB), a policy-making and strategy-formulating body on drug prevention and control under the President, the number of drug users in the Philippines two years before this study, when it conducted a nationwide survey (DDB 2015), was close to 1.8 million – less than half of the four million that Duterte claimed. In May 2017 Duterte fired the DDB head, Benjamin Reyes, for publicly contradicting his figure (Punongbayan, 2017) and announced a new estimate of 4.7 million drug users via the Philippine Drug Enforcement Agency and the Philippine National Police (Philstar 2017). This estimate is based on the total number of 'surrenders' – self-confessed users or pushers who hand themselves over to the authorities – and the number of households visited in anti-drug operations. Using this premise, they estimated that there is one drug user in every eight households. Evidently, it is the highest estimate of drug users announced so far, and is used to justify continued support for law enforcement agents to carry on with such operations.

Other numbers calling the existence of a drug problem into question are drug prevalence rates. Based on the DDB's 2015 survey the drug prevalence rate in the Philippines is around 2.3% of the population. This is below half the global average for drug use prevalence, which is estimated at 5.3% (UNODC 2017)⁴. In comparison to the global average of drug prevalence, the Philippines does not appear to be facing any kind of drug crisis, or to be at risk of turning into a narco-state.

⁴ These estimates are valid for adults between 15-64, who used drugs at least once in the past year (UNODC 2017).

Even if the number of drug users really was four million, as stated by Duterte, it would still be below the global average, as the Philippines has a population of approximately 100 million.

In this context, the definition of a drug prevalence rate calls for elaboration. Included in this definition are people who use illegal drugs many times a day, but also those who have only used them once during the past year (UNODC 2017). As such, there is no distinction between recreational or occasional drug users on the one hand, and actual drug addicts on the other. In fact, of all the drug users included in the Philippines drug prevalence rate study, 39% stated that they used drugs once a month or less, and fewer than half had used *shabu* (DDB 2015). *Shabu* is a cheap form of methamphetamine. It is against this drug that the entire war on drugs is targeted. Many people who turn to drugs in the Philippines do so in order to stay awake during long working hours, to alleviate hunger, and to feel an energy boost. While some exhibit signs of addiction, such as weight loss and hollowed-out faces, most users remain functional in their daily lives. In fact, as of June 2017, a total of 1,643 'surrenders' were admitted as in-house patients at government rehabilitation facilities, according to data from the Department of Health. This is about 1% of all surrenders (Manila Times 2017). This further undermines the picture of the severity of dependency among users, which necessarily must be significantly lower than that of the official prevalence rate of 2.3%.

In sum, a closer look at the numbers has indicated that Duterte's assertions of a severe drug crisis are highly questionable. There has been inconsistency and obfuscation in both the gathering of the statistics on drug use and their interpretation. The confusion makes it difficult to determine the precise numbers. International drug policy experts and UN special rapporteurs also query Duterte's claim of an actual drug crisis. One even called it "a slightly manufactured crisis" (Inquirer 2017).

Therefore, it can be concluded that even though drugs exist in the Philippines – originating mainly with transnational drug trafficking networks (UNODC 2013: 112) – it is by no means a crisis in the form of a national security threat, as Duterte attempts to convince the public with inflated statistics. While drugs are clearly destructive and dependence on them should be fought, the strategies needed are harm reduction, a public health approach and poverty alleviation. We suggest that the worst drug problem in the Philippines is possibly the war on drugs itself.

7. DOES THE WAR ON DRUGS WORK?

The war on drugs has caused many changes in the Philippines, but it has not eradicated drugs as Duterte set out to do.

The war on drugs has produced results in terms of the surrendered, the arrested and the killed, and of the politics of fear employed in the campaign. Instrumentally, this might be said to work for the police and the government. Drugs, however, are still very much present in poor, urban communities. They are not visible in the same way as before the drug war, and that may suggest that the war has had a lasting effect. The lack of visibility stems from the heavy police presence in the streets, which has caused illegal activities to move behind closed doors or elsewhere to avoid police surveillance.

The important point, however, does not lie in whether the war on drug has worked or not, but rather in the unintended social consequences the Filipino people are left with. The broken social relations, the eroded trust between neighbors, and for many families a critical financial position due to the loss of a key breadwinner will have lasting effects far beyond the end of the war on drugs. In fact, drug wars based on the use of force have been proven to increase levels of violence, human rights violations, and incentives for abuse of power (Jensen, 2010). Without harm reduction strategies, a decrease in the use of drugs is unlikely (Ateneo School of Government 2016; UNODC 2016).

Adding to our argument that the war on drugs is both ineffective and harmful to society is evidence of increasingly overcrowded jails and detention facilities,⁵ explosions in levels of corruption,⁶ questionable rehabilitation,⁷ and a highly inefficient judicial system. This is not to mention the window of opportunity that the war on drugs has created for new avenues of corruption, extortion and money-making practices.

5 As of December 31st 2016, the total jail population of 126,946 exceeded the ideal capacity of 20,746 inmates with a variance of 106,200 making the average congestion rate one of 511% in a Philippine jail (Commission on Audit, Republic of the Philippines 2017).

6 Such as the 'tokhang for ransom' practice, that is, using the war on drugs to extort money. Police, widely known as crocodiles, have engaged in corrupt practices consistently through Philippine history as the movie *Ma'Rosa* by Brillante Mendoza so eloquently illustrates (see also Hapal and Jensen, 2017). However, these practices have become even more widespread and the price of survival has gone up (Coronel, 2017).

7 Most commonly, local rehabilitation programs are exercise in the form of zumba lessons or reflection sessions such as bible study. A few programs even involve building wooden coffins for families unable to afford funeral services.



It is, however, worth pointing out that a drug war as violent and ruthless as this one would not be able to take place without some degree of acceptance among a large segment of the general public. There has been a lack of public outcry about what takes place in the Philippines and a majority of the population still supports Duterte and his war on drugs.⁸

Herein lays a great challenge for the Philippine and global human rights community. While support for the war is slowly eroding, as the Social Weather Survey and our own work suggests, the changing mood in the general population is not expressed in the language of human rights, or by using terms like 'rule of law' or 'fight against impunity'. Instead, the concern is expressed through fears for loved ones or one's own security while human rights activists are derided for their assumed protection of criminals. This suggests that human rights organizations may be wise to contemplate another language of protest – a language that is expressed less in terms of rights and more in terms that place the 'human' at the center of the resistance to the war on drugs. While we affirm our own distance from drugs, such an approach could include a focus on healing the social consequences of war, such as corruption, broken trust between state and civilians and destruction of social capital.

⁸ As of September 2017, 77% of the general population in the Philippines was satisfied with the campaign against illegal drugs as compared to 84% in September 2016, according to Social Weather Stations (2017).

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What is the Global Alliance?

The Global Alliance is a strategic alliance between likeminded civil society organizations working towards building a global alliance of communities against torture and urban violence. This we do through country-based as well as collaborative research and knowledge generating projects across partners, focusing on countering authority-based violence in poor, urban neighbourhoods.

The Global Alliance is built on three core principles for partnership; equality, transparency and mutual responsibility. It is also essential to the Global Alliance that the local experience; findings and learnings are linked to the global agenda of addressing prevention as well as the (right to) rehabilitation for victims of torture and violence. These local engagements are the real driver of generating knowledge and evidence based arguments when shaping the global agenda. Apart from undertaking project activities in the four countries of Liberia, South Africa, the Philippines and Denmark, the Global Alliance also carries out:

- Monitoring across the different sites,
- Generate knowledge about different forms of interventions and contexts,
- Complement local advocacy on violence prevention with global initiatives

The Theory of Change of the Global Alliance is that if we as partners work systematically with community-led approaches towards the prevention of violence, through dedicated partnerships in different countries, then the Global Alliance will be able to produce knowledge and models to the benefit of target groups (at-risk groups and communities) and for local and global advocacy purposes.

Besides the knowledge generation and advocacy focus of the alliance, the ambition is to lay the foundation for a new approach to local and global partnerships, through constant reflection on internal dynamics (including power differences) as a potential for learning and organizational development as individual partners and as an alliance. This work is driven by the realization; that only by building partnerships from the bottom up, including partners in poor, urban neighbourhoods, can we hope to change the agenda global towards focusing on everyday forms of authority-based violence in poor, urban neighbourhoods.

The Global Alliance consists of four partner organizations from four different countries:



CSV - The Centre for the Study of Violence and Reconciliation, South Africa;
www.csvr.org.za



Balay Rehabilitation Center, the Philippines;
www.balayph.net



LAPS – Liberia Association of Psychosocial Services, Liberia;
www.lapsliberia.com



DIGNITY – Danish Institute Against Torture, Denmark;
www.dignityinstitute.com



The Global Alliance consists of four partner organizations from four different countries:



CSVR - The Centre for the Study of Violence and Reconciliation, South Africa;
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