

RESEARCH ARTICLE

Human Rights in a Time of Populism: Philippines under Rodrigo Duterte

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Abstract: Although much of the researches on populism intimately delineates its relationship with democracy, few studies have been done relating it to human rights, which is presently under siege with the rise of populist leaders and groups. This paper seeks to examine the intersectionality of populism and human rights by looking at the case of the Philippines under President Rodrigo Duterte. The “new” ideational approach of populism analyzes populist ideas as latent demand or disposition that is activated and mobilized by populist actors, and appropriating the notion of “contestation.” This paper argues that Duterte’s populist political attitude is a mere reflection of the country’s authoritarian culture and illiberal values characterized, among others, by the disregard for liberal political institutions, norms, and practices. The failure of the liberal democratic regime to sufficiently respond to basic social ills was harnessed and mobilized by Duterte, the “strongman” from Davao, into political action. In addition, Duterte’s indifference and violative treatment of human rights as a principle and a standard that needs protection transpired in a highly unequal and elitist political system. This implies that turning against this populist challenge to human rights necessitates treating populism as an ideal that is initially hidden but must be surfaced. Also, although there needs to be continual opposition and contestation, there has to be an acknowledgment of populist’s structural contexts. Future studies could venture into quantification and measurement of empirical variables to complement the prevailing methodological vista of populism research in the Philippines.

Keywords: authoritarianism, democracy, human rights, Philippines, populism, Rodrigo Duterte

The world we live in today is seemingly in populist times (Moffit, 2016). The only question now is whether this populist moment will turn into a populist age (Mounk, 2018). From the electoral victories of Viktor Orban in Hungary (Frum, 2017), to Narendra Modi’s Hindu nationalist India in 2014 (Singh & Park, 2014), to the authoritarian and anti-western leader Recep Erdogan of Turkey (Cagaptay, 2017), to Donald Trump’s win over Hillary Clinton in the United States, to the success of the *Alternative for Germany* (AfD) party—opposing Angela Merkel’s welcoming policy

towards migrants, winning 94 of the 630 seats of the German Bundestag—signaling the first time the far right has gained major presence in the legislative body (Mudde, 2017), to the rise of anti-immigrant Northern League (Lega Nord) to power in Italy by striking a strategic alliance with the Five-Star Movement in the March 2018 elections forming “an odd couple” viewed as a symbol of the country’s slide to a “dangerously confrontational and xenophobic path” (Giuffrida, 2018), a wave of political groups with charismatic leaders have not only seized reins of the corridors of

governmental powers across the globe, but it does so by preying on the failures of liberal-democratic institutions and its apparent deconsolidation (Foa & Mounk, 2016, 2017).

Indeed, several scholars and pundits have observed that populism has done real damage to the integrity of liberal democracy because it is “a totalitarian ghost that shadow democracy” (Panizza, 2005, p. 30), anti-democratic (Müller, 2017), “a symptom of the constitutional democracy’s malaise” (Pinelli, 2011, p. 15), a democratic disorder, pathology of democracy, and paranoid style of politics (Mudde & Kaltwasser, 2017). Mounk (2018) argued that “...unless the defenders of liberal democracy manage to stand up to the populists, illiberal democracy will always be in danger of descending into outright dictatorship” (p. 43).

More than populism’s effect on democracy, few academic literature or critical scholarship have explored the links of populism to human rights. Considering that such leaders and groups projected “nationalistic, xenophobic, misogynistic, and explicitly anti-human rights agenda” (Alston, 2017, p. 1), the populist challenge to human rights arguably presents a more pressing global political concern.

Claiming to speak for “the people,” these leaders and groups “treat *rights* as an impediment to their conception of the majority will, a needless obstacle to defending the nation from perceived threats and evils” (Roth, 2017, par. 1). Amnesty International’s annual report on the world’s human rights in 2016 saw,

...the idea of human dignity and equality, the very notion of a human family coming under vigorous and relentless assault from powerful narratives of blame, fear and scapegoating, propagated by those who sought to take or cling on to power at almost any cost. (Amnesty International, 2017, p. 12)

In this paper, I will attempt to analyze the link between populism and human rights in the extant literature. To illustrate this intersectionality, this paper examines how and to what extent has the rise of Rodrigo Duterte in 2016, a tough-talking populist wrought havoc against liberal-democratic institutions of the country particularly with its violent, bloody, and genocidal “war on drugs” (Curato, 2017; Heydarian, 2017; Bello, 2017; 2018; Espenido, 2018; Simangan,

2018). The notion of contestation is explored to establish the conceptual connection between human rights and populism.

In addition, this paper aims to contribute to the sparse scholarship of populism in Asia, which are considered more dangerous to democracy than the West’s (Kurlantzick, 2017). Theoretically, it will engage the “new” ideational approach of populism as it argues to better explain the hidden cultural logic and immanent political attitudes behind the populist challenges to human rights.

After this introduction, this paper will be organized into four parts. The first part interrogates the concept of populism and traces its historical roots and definitional ambiguities. The second part looks at the general condition or state of human rights caught in populist times. The third part discusses the case of the Philippines under Rodrigo Duterte and explains how his populism has degenerated and impacted against the gains of human rights and liberal democracy in the Philippines. The fourth part concludes the article and provides recommendations for actions against Duterte’s populist challenge to human rights in the Philippines and for future studies.

Understanding Populism: Beyond the Conceptual Slippage and Contestation About Definitions

Like many terms in the glossary of political science such as power, values, justice, and democracy which spawn no general consensus of its definition, populism is “marked by high degree of contestability” (Moffit & Tormey, 2014, p. 382); a “deeply ambiguous, promiscuously deployed, and chronically politicized concept” (Brubaker, 2017, p. 368), making it one of the discipline’s most contentious issues (Canovan, 2004; Comroff, 2011). Taggart (2002) argued that the study of populism is “limited in scope and duration and somewhat episodic” (p. 62).

Some scholars debated much about conceptual slippage regarding the characterizations of populism. The numerous definitions include: as mirror (Panizza, 2005), populist ideology of democracy (Canovan, 2002), logic of the political (Laclau, 2005a, 2005b), specter, and internal periphery (Arditi, 2007). Mudde (2004) put forward a minimal definition of populism as an “*ideology* that considers society to be ultimately separated into two homogeneous and antagonistic

groups, ‘the pure people’ versus ‘the corrupt elite’, and which argues that politics should be an expression of the *volonté générale* (general will) of the people” (p. 541). Weyland (2001) defined populism as “a political *strategy* through which a personalistic leader seeks or exercises government power based on direct, unmediated, un-institutionalized support from large numbers of mostly unorganized followers” (p. 14). Hawkins (2009) argued that populism is a discourse or particular mode of political expression that is usually evident in speech or text. In this highly discursive view, any political actor or group is seen as a populist depending on how and when they appropriate populist discourse expressed in their communicative platforms. This is a popular approach used in understanding populism in Europe and Latin America.

Moffitt (2016) introduced the approach of *political style* as the “repertoires of embodied, symbolically mediated performance made to audiences that are used to create and navigate the fields of power that comprise the political, stretching from the domain of government through to everyday life” (p. 37–38). It focuses on performers, audiences, stages, and the milieu of the phenomenon which “captures the inherent theatricality of contemporary populism” while bringing the mechanisms of populist politics into focus (Moffitt, 2016, p. 157).

Indeed, there is a plurality of definitions and varieties of populism which reflects the multidimensional nature and context of the phenomenon (Aytaç & Öniş, 2014). Such debates also reflect the fact that serious scholarly attempts of understanding populism (most specifically in Latin America, North America, Europe, and even Asia) have been made, which often produces serious arguments about how it should be approached. As such, populism “should not be dismissed as nothing more than a lazy journalistic cliché or an ideologically charged political epithet” (Brubaker, 2017, p. 368). However, there is still little agreement as to how to properly understand populism or if there really is a correct lens in understanding it. Calling the clichéd assertion that populism is a vague concept, Woods (2014) noted that there is a robust definitional frame in the concept of populism, which reflects its inductive origins and diverse manifestations. This evolved and refined the concept of populism, which “scholars have used in a largely pragmatic and adaptive way” (Woods, 2014, p. 1).

With the increasing presence of leaders and groups claiming to speak to the people, Kaltwasser, Taggart, Espejo, and Ostiguy (2017) were elated that, finally, everyone understands that populism matters. As poignantly argued by some scholar, “the reason for this erratic development is that interest in populism as a political concept has tended to spike when empirical phenomena that are labelled as ‘populist’ capture the politico-social imagination” (Moffitt, 2016, p. 25).

This article engages the new ideational approach to populism which distinguishes itself from early works on ideational approach that gave “little attention to the content and causal properties of these ideas” (Hawkins & Kaltwasser, 2018, p. 2). This new ideational approach argues that many of the material or organization features about populism are “contingent on historical or regional context and may even be a product of these underlying ideas” (Hawkins & Kaltwasser, 2018, p. 2).

In this conceptualization, populist ideas are not the true attitude but function as a “latent demand or a disposition” (Hawkins & Kaltwasser, 2018, p. 7). These attitudes must be activated by an appropriate context and framing like linguistic and emotional cues (Hawkins & Kaltwasser, 2018, p. 6). As an idea, populist response results from a context that is due to an “intentional failure of democratic representation” (Hawkins & Kaltwasser, 2018, p. 7). In most developing countries, such failures take the forms of “widespread, systematic corruption” which the political elite “routinely and knowingly use their control of state resources to benefit their personal or partisan interests at the expense of the public” (Hawkins & Kaltwasser, 2018, p.7). Typically, representation in these contexts is based on clientelistic linkages for political support, prone to illegal activity, and undermines the capacity of institutions to uphold the rule of law. Most importantly, a context of representational failure is not enough as it often requires “political entrepreneurs who can frame the problem as more than a narrow policy failure requiring minor reform” (Hawkins & Kaltwasser, 2018, p. 8-9). In other words, populist actors serve as catalyst in the activation of populist attitudes, which are already there and just made salient (Hawkins & Kaltwasser, 2018, p. 7–8).

I argue that Rodrigo Duterte’s populist political attitude indicates a deeper, latent disposition—that is, authoritarian values characterized by a disregard

for liberal political institutions, norms, and practices like human rights. It does so as a result of the failure of the liberal democratic regime in the country to effectively address basic social ills that for decades have disenfranchised the Filipino majority. This democratic disillusionment and sense of illiberalism lay dormant in the public lives, owing to years of political frustrations and social dislocations until Duterte—the “strongman” from Davao—arrive in the national political arena to harness and mobilize this potent force into political action.

In addition, this new ideational approach better defines and explains the emergence of the so-called authoritarian-populist today. Norris and Inglehart (2019) argued that beneath the “rhetorical veneer of ‘people power’” of these political leaders, one has to examine the “second-order principles” that they promote—which includes “what cultural values they endorse, what programmatic policies they advocate, and what governing practices they follow” (p. 444–445). In other words, know them by what they do, not just by what they say. In their work, Norris and Inglehart (2019) noted that countries like the Philippines is similar to other hybrid regimes like Turkey, Hungary, Venezuela, and even Russia where the “authoritarian culture” takes root, destroys liberal democratic institutions and “facilitates the slide into full-blown authoritarian regimes with strong leaders who are intolerant of opposition” (p. 444–445). Inevitably, “authoritarianism becomes the only game in town” (Norris & Inglehart, 2019, p. 453).

These authoritarian-populist exemplify the following behavior:

- depict themselves as *insurgents* willing to ride roughshod over long-standing conventions, disrupting mainstream ‘politics-as-usual’;
- seeks to corrode faith in the legitimate authority of elected representatives in liberal democracies leaving the door for authoritarians *attacking* democratic norms and practices;
- knock-down safeguards on executive power by claiming that they, and they alone, reflect the authentic voice of ordinary people;
- maintain control by *restricting* individual rights, *silencing* the free press, *limiting* opposition, and *strengthening* the army and police (Norris & Inglehart, 2019, p. 444–445).

A Brief History of Populism

Contrary to conventional belief, populism “is not a new phenomenon, nor is the current wave necessarily stronger than previous ones”, that “populist ideas exist at the level of individual voters and matter for political behavior, and it has “both positive and negative consequences for democracy” (Hawkins & Kaltwasser, 2017, p. 526).

Generally, the first use of the term “populism” came from 19th-century political movements on both sides of the Atlantic and is regarded as the origin of the phenomenon (Moffitt, 2016). The first phenomenon to which the term was alluded to was the agrarian movement that led to the formation of the People’s Party in the Southern and Midwestern United States in the 1890s. Initially organized to resist the demonetization of silver, the party used the pseudonym of populists inspired from the Latin *populus* (the people; Moffitt, 2016). The second phenomenon was the Russian *narodnichestvo* of the 1860s–1870s, a movement of Russian intellectuals who believed that the peasants were the revolutionary class that would bring about Russia’s social and political regeneration, and thus considered it their moral imperative to go to the people and educate them in order to bring about the revolution (Moffitt, 2016).

However, beginning in the 20th century onwards, the term began to refer to a wide array of phenomena and located in various contexts (Moffitt, 2016; Hawkins & Kaltwasser, 2017). In Latin America, three strands of populism emerge: (a) rightwing populism with the rise of Juan Peron in Argentina, Lázaro Cárdenas in Mexico, Getúlio Vargas in Brazil, and José María Velasco Ibarra in Ecuador, which uses popular movements and forged multiclass urban alliances characterized by human rights violations; (b) neopopulism – populism combined with neoliberal economic policies, for example, the rise of Alberto Fujimori of Peru and Fernando Collor of Brazil; and (c) leftwing populism with the rise of Evo Morales of Bolivia, Rafael Correa of Ecuador, and Hugo Chavez of Venezuela with their economically statist, protectionist, welfarist, and redistributionist policies (Mounk, 2014; Brubaker, 2017).

In Europe, the rise of radical right-wing populism and the populist radical right parties with extreme xenophobic movements and anti-establishments (e.g., Frances *National Front*, *Five Star Movement* in Italy, the far-right *Alternative for Germany party*, Danish

and Swiss *People's Parties*, *Syriza* in Greece, *UK Independence Party* in Britain, and *Podemos* in Spain) have emerged challenging and demobilizing liberal democracy (Caramani, 2017; Galston, 2018).

In Asia, most populists do not fall neatly with the left-ride divide and are not structured by Marxist class theory, meaning that politicians do not have access to a ready-to-use framework to describe the people vs. elite divide in class terms (Hellmann, 2017). This has resulted in three types of populism: the movie-hero populism of the Philippines' Joseph Estrada, the agrarian populism of Thailand's Thaksin Shinawatra, and the nationalist populism of Indonesia's Prabowo Subianto (Hellmann, 2017).

In addition, with the rise of the populist Rodrigo Duterte as president of the Philippines in 2016, his policy against drugs and criminality has led to the erosion of the rule of law and the checks and balances in the country, which had devastating implications for human rights (Kenny, 2019). This development is viewed as more dangerous than in other regions (Kurlantzick, 2017).

This paper contends that populist challenges to human rights requires a critical examination of the cultural values and political contexts of these political actors with respect to their country's experience of liberal democracy, usually hidden and made prominent only when a strongman figure with authoritarian attitudes rises and brings those values and attitudes out into the open. Understanding populism from an ideational perspective offers prescient analysis and conceptual clarity in terms of its link to human rights as a liberal democratic idea and practice.

The State of Human Rights Today: The Populist Challenge and Contestation

Amnesty International (2017), in its annual report on world's human rights, noted that 2016 was "a year of misery and fear", "as governments and armed groups abused human rights in a multitude of ways" (p. 12). This was observed in the large parts of the Syrian city of Aleppo, which was pulverized by airstrikes and urban warfare. Other instances were the deteriorating conditions of the Rohingya people in Myanmar; crackdowns on oppositions in Turkey, the Philippines, and Bahrain; and the hate speech remarks across Europe and the U.S.A., making the world a darker and more unstable place. Apparently,

many disgruntled people around the world did not seek answers in human rights especially that "the inequality and neglect underlying popular anger and frustration arose at least in part from the failure of states to fulfill people's economic, social and cultural rights" (Amnesty International, 2017, p. 14). As the world becomes a more unstable home, Amnesty International (2017) called to change this kind of set-up. Calling for human rights heroes, "everyone can take a stand against dehumanization, acting locally to recognize the dignity and the equal and inalienable rights of all, and thus lay the foundations of freedom and justice in the world" (Amnesty International, 2017, p. 15).

In like manner, Human Rights Watch (2018), a non-profit human rights organization, reported widespread hostility and intolerance such as Anti-Semitism, including hate crimes and "racist, xenophobic, and anti-Muslim sentiment and violence persisted across the EU" (par. 10). Even when some of these xenophobic populists (who are hostile to human rights) failed to win at the ballot box, they still shaped politics. "European governments seemed determined to keep migrants away at all costs" and "elements of their anti-immigration, anti-refugee and anti-Muslim policy agenda continue to be embraced by mainstream political parties in many EU countries" (Human Rights Watch, 2018, par. 9).

Notwithstanding these surging populist challenge, there have been strong resistance and pushbacks that put these series of politicians around the globe—who claimed to speak for the people but built its constituency "by demonizing unpopular minorities, attacking human rights principles and fueling distrust of democratic institutions" (Roth, 2018, par. 1)—constantly interrogated and monitored.

In this paper, I demonstrate how this notion of contestation culled from the literature on democracy and human rights can be linked with populism. Contestation, a central idea in procedural definition of democracy, captures, among others, the

uncertain peaceful competition necessary for democratic rule; a principle which presumes the legitimacy of a significant and organised opposition, the right to challenge incumbents, protection of the twin freedoms of expression and association, the existence of free and fair elections, and a consolidated political party system. (Landman, 2018, p. 49)

Coupled with the institutional and rights dimensions of the liberal definition of democracy (which captures the idea of popular sovereignty, of accountability—constraint of leaders and representation of citizens, on the former; and to upheld the rule of law—civil, political, and minority rights on the latter), the idea and practice of human rights at the time of populism can be explored.

Rodrigo Duterte: The Strongman Rule Politics and Revolt Against Elite Democracy

Rodrigo Duterte's rise to power in Philippine presidency in 2016 and the brand of politics he brought about did not only shake its fledgling, unconsolidated, and fragile political democratic institutions, but it also provided the material for academics to theorize as Duterte's presidency engendered a plethora of scholarship from a variety of lens and proffered varying analyses.

Most of these scholars have been largely pessimistic and highly critical. Some described Duterte's rise to the presidency as the turning point into the "death of liberal reformism" (Thompson, 2016) in the Philippines. Deploying an "illiberal populist law and order narrative" during his presidential campaign, Thompson (2016) said that "Duterte not only own the election but also quickly established a new political order" (p. 59).

By challenging liberal reformism despite his predecessor Noynoy Aquino's personal popularity, Duterte was able to take advantage of the "systemic disjunction" of this once dominant political order – due to the discrediting of the good governance narrative, the weakening influence of key "strategic groups" backing it (particularly the Church and social democrats), and the vulnerability of key institutions. (Thompson, 2016, p. 60)

By "sticking to his guns," Duterte promised "national political salvation by claiming that, given weak institutions, only violent strongman rule can bring political order to the country" (Thompson, 2016, p. 60). In an earlier article he wrote in the *Journal of Democracy*, Thompson (2010) noted that in a country like the Philippines which possesses a fledgling democracy and an entrenched oligarchic

rule, competing narratives of political visions and stance have been strongly adhered to by most of its political leaders. This shifting and contending styles were raised to a new level when a longtime mayor of Davao, a metropolis in the southern Philippines, decided to run for the presidency employing a populist promise of "a caring, humble, and accessible form of governance" allowing him to be identified with "various socioeconomic classes, groups, and regions", but in reality is a form of revolt and a clarion call against the discredited elite democracy in the Philippines (Heydarian, 2017, p. 35-36).

Eventually, a *Duterte Reader* was released last year in an attempt to make sense of the different portrayals, not only of the president but also of the nation that is emerging alongside the rise of "Dutertismo" (Curato, 2017). The book offered a careful examination of the social conditions and historical processes that shape the trajectory of Philippine democracy. Curato (2017) argued that Duterte's ascent to power with his "spectacle of a strong leader" reveals the painful realities of Philippine politics. Duterte's use of crass language effectively served three political responses: (a) expose the hypocrisies of the of powerful institutions, (b) give voice to citizen's deep-seated injuries, and (c) set the tone necessary for his style of governance (Curato, 2017).

Alfred McCoy (2017), the preeminent scholar on Philippine politics, argued that this strongman rule of Duterte is part and parcel of these Filipino strongmen, past and present, who employed violence to acquire, maintain, and perpetuate political power. This political violence occurring on the domestic level must be performed displaying political strength while deftly complemented by a form of diplomatic success to show international influence. This is shown in Duterte's abrogation of "country's maritime claims and diplomatic pressures to accommodate China's presence in the South China Sea" (McCoy, 2017, p. 520; Heydarian, 2017).

Some have viewed Duterte's populism in a relatively benign but cautionary tale. Curato (2016) analyzed Duterte's rise to power using the concept of penal populism, which was built on two political logics that reinforce each other: the politics of anxiety and the politics of fear. By examining the articulations of these two logics among Duterte's supporters based on ethnographic fieldwork in disaster-affected communities where Duterte enjoyed decisive victories,

Curato (2016) argued “how populism is a negotiated relationship between the populist and his publics – a relationship that runs much deeper than one-way manipulation and demagoguery” (p. 106).

Duterte’s Authoritarian and Fascist Propensities

Others have been more scathing and critical and perceived Duterte as a fascist original and a counterrevolutionary (Bello, 2017a, 2017b, 2019). Political sociologist and former member of the Philippine Congress, Walden Bello (2017a), unequivocally asserted that fascism came to the Philippines in 2016 in the form of Rodrigo Duterte. His assertion continues to elude a part of citizenry, “some owing to fierce loyalty to the president, some out of fear of what the political and ethical consequences would be of admitting that naked force is now the ruling principle in Philippine politics” (Bello, 2017a, p. 77). Bello (2017a) opined that there would be less objection to the use of “fascism” if Duterte is to be described as:

- (a) a charismatic individual with strong inclinations toward authoritarian rule who
- (b) derives his or her strength from a heated multiclass base, (c) is engaged in or supports the systematic and massive violation of basic human, civil and political rights, and (d) proposes a political project that contradicts the fundamental values and aims of liberal democracy or social democracy. (p. 78)

Duterte’s charisma can be best described as *cariño brutal*—a volatile mix of will to power, a commanding personality, and gangster charm that fulfills his followers’ deep-seated yearning for a father figure who will finally end what they see as the “national chaos” (Bello, 2017a, p. 78). Duterte’s mobilization of a multiclass base, particularly by attracting the greater portion of Left into his administration and coalition government, was remarkable and unthinkable. Most importantly, Duterte’s contribution to fascism as a political phenomenon is in the area of political methodology characterized by “impunity on a massive scale” that “leaves the violations of civil liberties and the grab for absolute power as mopping up operations in a political landscape devoid of significant organized oppositions” (Bello, 2017a, p. 78).

Moreover, whether one calls Duterte as fascist, authoritarian populist, or a counterrevolutionary

in terms of a political project, it cannot be denied that Duterte has utilized “that angry movements contemptuous of liberal democratic ideals and practices and espousing the use of force to resolve deep-seated social conflicts are on the rise globally” (Bello, 2017b, p. 1). Comparing Duterte to fascists like Hitler and Mussolini, Bello (2019) pointed out that “counterrevolutionaries are not always clear about what their next moves are, but they often have an instinctive sense of what would bring them closer to power,” and oftentimes they “do have an ideological agenda and ideological enemies” (p. 259). In Duterte’s case, the target is “liberal democracy, the dominant ideology and political system of our time” (Bello, 2018, p. 30; Ordoñez & Borja, 2018) and, one that can be categorized as a regime of “neauthoritarianism” (Teehankee, 2016).

Duterte’s Attack Human Rights: “War on Drugs” as Genocidal Act

If there is one aspect of Duterte’s populism that sets him apart from all the populist across the globe, it is his controversial, violent, and genocidal war on drugs. It did not only draw the ire of domestic opposition, but transnational organizations like the United Nations and European Union and human rights groups like Amnesty International and Human Rights Watch, which consistently criticized the Duterte regime of condoning human rights violation and its brutal disregard for norms of liberal democracy to railroad on what it perceives as a political project.

Amnesty International called Duterte’s two years in power a “human rights calamity” and “disturbing regression” (Amnesty International, 2018a). Human rights defenders have been jailed like Philippine Senator Leila de Lima, a former justice secretary and former chair of the Philippines Commission on Human Rights. She was arrested on charges of drug trafficking and were believed to be politically motivated for she is the most prominent critic of the war on drugs (Amnesty International, 2018b).

Human Rights Watch (2018) asserted that Duterte has plunged the Philippines into its worst human rights crisis since the dictatorship of Ferdinand Marcos in the 1970s and 1980s. Even the United Nations have called for “an urgent action to reverse spiraling rights violations” (United Nations Human Rights Office of the High Commissioner, 2017). The European Union even stepped in. European Trade Commissioner

Cecilia Malmström warned that, unless the Philippine government addressed E.U.'s concerns about human rights abuses, the Philippines risks losing tariff-free export of up to 6,000 products under the E.U.'s human rights benchmarks linked to the Generalized Scheme of Preferences Plus (GSP+) trade scheme (Kine, 2017b).

Instead of relenting to mounting domestic and international pressure, Duterte encouraged police attacks against human rights groups and advocates, instructing the police, "If they are obstructing justice, you shoot them" (Human Rights Watch, 2017, par. 1). In addition, Duterte has publicly condemned the Commission on Human Rights and threatened to abolish it. He also repeatedly subjected United Nations Special Rapporteur on Extrajudicial Killings, Agnes Callamard, to profanity-laced ridicule for her repeated efforts to secure an official visit to the Philippines. He specifically responded to Callamard's criticism of the police's extrajudicial killings of children by calling her a "son of a bitch" and a "fool" (Morales, 2018).

Duterte's relentless drive against human rights even reached the point of calling out the country's first woman chief justice, Maria Lourdes Sereno, as "enemy" for voting against Duterte's policies. Eventually, the Philippine Supreme Court, under Duterte's strong heavy-handed influence, voted to remove its top judge "a shield against abuse of power in government" and left behind a "puppet Supreme Court" (Mogato, 2018, par. 2). As pointed out by Kine (2017a), although "no evidence thus far shows that Duterte planned or ordered specific extrajudicial killings, "his repeated calls for killings as part of his drug campaign could constitute acts instigating the crime of murder" (p. 27). Reyes (2017) suggested that "while the war on drugs has taken state killings to a new level, the Philippine state was no stranger to killing its own citizens before its onset", and it is something we "cannot dissociate the killings from the rampant corruption in the Philippine police" (p. 111).

West (2018) noted that as impressive as Duterte's war on drugs and criminality may seem, it is deeply flawed in many ways as most victims of the violent crackdown have been small-time drug users and sellers, with big drug lords, many of whom come from China, unscathed. In the process, there have also been many innocent victims. As a poor and developing country, the Philippines does not even have sufficient facilities to treat drug users, nor enough jail to house criminals (West, 2018). At best, the drug war is a short-term

attempt to deal with symptoms, not the causes, of illegal drug usage—such as poverty, inequality, and exclusive growth which the government failed to meet (Boehringer, 2017; Johnson & Fernquest, 2018). Also, fighting the problem of drug addiction with therapeutic reforms informed by science and ethics, not with bullets, is the best solution (Majeed & Ali, 2018).

A quantitative paper by Maxwell (2018) examined the link between citizen's perceptions of the severity of the drugs/crime problem, their punitiveness, and the authoritarian attitudes of Filipinos. It showed that the support for Duterte was driven by "positive attitudes towards the police and laws, region of the country, an attitude of authoritarian submission, and perceived seriousness of the national drugs/crime problem" (Maxwell, 2018, p. 216). Most respondents asserted that the drugs/crime problem was at crisis level nationally, yet did not see the same seriousness in their local neighborhoods. Also, Maxwell (2018) found out that those who support Duterte generally believe in the legitimacy of power and the primacy of authority over individual liberty.

Espenido (2018) said that the pernicious effect of the war on drugs is immediately felt. It has eroded the *bayanihan* (community) spirit, a Filipino tradition of people going out of their way to help those in need. This social cohesion at the community level, which facilitated and nurtured the helping processes for the affected individuals and families has been seriously undermined as "...immediate families of the EJK (extrajudicial killings) victims have experienced personally loading the corpses of their loved ones into a vehicle that would bring the dead bodies to funeral homes since nobody in the community would help them" (Espenido, 2018, p. 142). Flatt (2018) asserted that the war on drugs has significantly weakened the already weak and ineffective judicial system of the country.

Provocatively, Simangan (2018) argued that Duterte's war on drugs could well be an act of genocide. Using Gregory H. Stanton's stages of genocide, Duterte's rhetoric and policies satisfy the stages of classification, symbolization, dehumanization, organization, polarization, preparation, extermination, and denial. Simangan (2018) hoped to send a message to the international community, civil society, and the Philippine government that the human rights situation related to the war on drugs in the Philippines needs to be addressed immediately.

Calling the mass murder of drug suspects in the Philippines a “war on drugs” removes its human toll. It must be called what it is—a mass murder of unarmed, often poor civilians suspected of using drugs. At his command, Duterte’s administration has successfully incited, if not wholly organized, the killings of more than 7,000 Filipinos out of fear and a hatred of heinous crimes previously committed by either suspected or proven drug users. They have justified the killing of drug suspects by claiming that if they were not killed, they would kill. It is murdering the “murderer” before the murder happens. (Simangan, 2018, p. 22)

Despite the backlash Duterte has received from international human rights organizations, regional governmental organizations have been disturbingly quiet. In the context of these significant threats to human rights in the Asia Pacific region, Hayes (2017) noted how “regional mechanisms ... did little, and it was left to the UN to monitor and coax Asia Pacific states to act in protecting rights” (p. 535). Particularly, with its institutional culture of noninterference, no ASEAN leader has critically commented on Duterte, regardless of the fact that the violence is widespread and systematic (Hayes, 2017).

Furthermore, Hayes (2017) noted that the international community should get its act together against Duterte, who is complicit in the violent campaign “with his use of irreverent language, on-air naming-and shaming of drug personalities, and offers to pardon any policeman charged with extra-judicial killing” (pp. 537–538).

More than his spectacular rise to power, Duterte’s ascension to the Philippine presidency reconfigured the entire landscape of Philippine society with human rights violations and the basic institutions of liberal democratic set-up brought down to its heels. This is the kind of populism Duterte has engendered a young and fledgling democracy like the Philippines. In the end, it can be argued that the Philippine’s populist temptation is rooted in the country’s modern political history of populism and turbulence (West, 2018). This leads to an apparent citizen’s paradox about Duterte’s populist politics and the human rights violation in the country:

While Duterte is losing friends in the international community, he is very popular at home, where

people can already feel an improvement in the local security environment. Families and friends of innocent victims do not, as yet, seem to pose a threat to his popularity, as most of those killed come from poor and powerless backgrounds. Overall, Philippine citizens have been willing to trade some of their hard-won human rights and freedom for the promise of greater security from a brutal crackdown on crime, drugs and corruption in this dangerous country. Filipinos have succumbed to “authoritarian nostalgia”, as they look back to the mythical good old days of strong leadership under President Marcos. (West, 2018, p. 231)

The Philippines had experienced authoritarianism during Ferdinand Marcos period from 1972–1986. Those 14 years of flirtation with dictatorship was rooted in the Philippines’ romantic desire for larger-than-life figures who would offer a quick-fix solution to the country’s social ills (David, 2001). The romance with authoritarianism ended in 1986 after the groundswell of popular movement that came to be known as the “EDSA Uprising”, the acronym for the thoroughfare that cuts across Metro Manila where most mass mobilizations transpired and established the so-called EDSA Republic, a liberal democratic regime with the promise of popular empowerment, social justice, and wealth redistribution (Quimpo, 2008; Bello, De Guzman, Malig, & Docena, 2005).

However, successive administrations came since 1986 and still the promises of a just and humane society have not been fully realized. In fact, the failure of the EDSA Republic was a condition for Duterte’s success (Bello, 2019). The Filipino people were not only disenchanted but:

...the EDSA Republic’s discourse of democracy, human rights, and rule of law had become a suffocating straitjacket for a majority of Filipinos who simply could not relate to it owing to the overpowering reality of their powerlessness. Duterte’s discourse—a mixture of outright death threats, coarse street corner language, misogynistic outbursts, and frenzied railing, coupled with disdainful humor directed at the elite, whom he calls “coños” or cunts—was a potent formula that proved exhilarating to his audience who felt themselves liberated

from what they experienced as the stifling political correctness and hypocrisy of the EDSA discourse. (Bello, 2019, p. 259)

After all, the astonishing popularity of Rodrigo Duterte is traceable to the “Philippines’ colonial history and in a national subjectivity that carries a lingering anxiety about freedom and sovereignty” (Webb & Curato, 2019, p. 63).

Concluding Remarks and Recommendations

Much of the research on populism has centered on the understanding of how it affects, why it emerges, and to what degree it impacts existing structures of governance and governmental systems. However, there exist few academic scholarships on its relation to human rights—a standard used to measure and analyze the quality of democratic life, but one which is run aground with the rise of populist leaders and groups.

This paper examined the intersectionality of populism and human rights by looking at the illustrative case of the Philippines under Rodrigo Duterte. Extant studies argued that the populist leader has unimaginable political and social dislocation in the country’s political life. Appropriating the new ideational approach of populism, the illiberal values and authoritarian culture intrinsic in Philippine politics and society have surfaced as the more palpable causal argument and political ideal. At first blush, it seems that Duterte’s populist politics through his flamboyant language and strongman posturing and messaging fostered populist attitudes among his constituents and supporters. This support is attributable to a crisis of political representation whereby the government failed to respond to the anxiety and grievances the ordinary people experienced at moments of profound socioeconomic changes, which Duterte successfully tapped and mobilized. The failed liberal democratic regime’s promise of social justice, income redistribution, and popular empowerment to the Filipino people, which was established after the overthrow of the authoritarian ruler Ferdinand Marcos, have been unrealized. The unmet political vows have left the citizens in deep disenchantment and frustrations, which provided the much-needed ammunition and conditions for the electoral success of Rodrigo Duterte in 2016. Duterte’s political acumen was of such magnitude as he brought to the fore the idiosyncrasies and failures

of liberal democratic regime felt by the powerless and disillusioned Filipino public, which renders them in a state of abeyance and transcend to give voice to the miserable, bring authenticity to politics, and reflect persistent political will (Arguelles, 2017). It is clear that Duterte, as a populist actor, is able to “translate vague emotions of disenchantment and resentment into a...coherent political doctrine promoting profound change while, at the same time, providing the forgotten and despised with a new sense of value” (Betz, 2018, p. 196).

Having activated a populist mobilization among his constituents allowed Duterte to railroad against norms and principles of human rights, dismissing any opposition to his war on drugs in his speeches in a rhetorical fashion: “Crime against humanity? In the first place, I’d like to be frank with you: are they humans? What is your definition of a human being?” (Agence France-Presse, 2016, par. 3). By effectively consigning drug users as beyond the confines of humanity, Duterte has not only openly challenged the essence of what it means to be human, but he has effectively pushed any resistance to his own moralist reasoning and political articulations by jailing opposition members, curtailing budget of the Commission on Human Rights, and weaponizing the social media (Etter, 2017; Elemia, 2018).

In conceptual terms, Duterte’s politics is carried out in an authoritarian-populist fashion. This is seen in his noncompliance and unstatesmanlike demeanor that militate against the pressures from the international community and sheer disregard for liberal democratic norms and practices—seen in the incarceration of political opposition, censorship of adversarial press, violation of human rights and human life in his genocidal war on drugs, and the perpetuation of a culture of impunity and cloud of fear as a result of these extrajudicial killings. This authoritarian culture can be further elaborated once it is contrasted against the concept of contestation in human rights and democracy scholarship. Linking populism with human rights is facilitated through a conceptual discussion of contestation as it calls states and governments to recognize legitimate political opposition.

The opposition is stifled, leaving no room for expression of dissenting views, under Duterte’s Philippines. Muzzling down on critics, infringing on human’s sacrosanct civil, political and social rights codified in legal systems, and institutional settings

both locally and internationally, do not only violate the contemporary practice of human rights—an accepted legal and normative standard through which to judge the quality of human dignity (Landman & Carvalho, 2009, as cited in Landman, 2018, p. 50), but underscores the brazen nature of the populist challenge to human rights in the Philippines under Rodrigo Duterte. These are not only essential components of the notion of contestation but core tenets of institutional and rights dimensions of the liberal conception of democracy. Duterte's indifference and violative overarching treatment of human rights as a principle and a standard that needs to be protected and defended typify this authoritarian-populist culture underpinning his attack on the Philippine illiberal democracy (Zakaria, 2003). Ultimately, this populist challenge to human rights occurs powerfully in a context with a weak and discredited liberal democracy, which failed the citizen's expectations, and a strongman leader who promised a new political order and national political salvation to its people.

It should be pointed out, however, that Duterte is neither the only strongman nor is the first populist in the Philippines (Webb & Curato, 2019; McCoy, 2017). His populism, as argued, is a latent characteristic of the country's authoritarian political culture and illiberal values. As such, there is a real risk that this can escalate into a full-scale authoritarian regime as the theory of cultural backlash predicts (Norris & Inglehart, 2019). Interestingly, this danger is occurring even in the Southeast Asian region as autocratic leaning populists in Indonesia, Thailand, and Myanmar rose to power and, once at the helm, tend to respond repressively and endanger the established democratic institutions (Thu, 2018; Kurlantzick, 2018). This growing regional authoritarianism adds the domino dimension to the existing four cases of dominance of countries in a region steeped in authoritarianism—Cambodia, Malaysia, Singapore, and Vietnam (Slater, 2017). The prospects of democratic change do not augur well.

However, a traction of studies has been noted, to a certain extent, on the mixed effects of populism. Berman (2017) argued that although "it is certainly true that democracy unchecked by liberalism can slide into excessive majoritarianism or oppressive populism, liberalism unchecked by democracy can easily deteriorate into oligarchy or technocracy" (p. 30). Even in authoritarian settings, populism can foster democratization (Hawkins & Kaltwasser, 2017).

What must be done is to recognize the undemocratic tendencies of liberalism because populism, which is a "complaint that democratic representatives have violated a sacred trust: they have willfully ignored the rights of their constituents as citizens to equality before the law" (Hawkins & Kaltwasser, 2017, p. 11). In fact, Curato (2016) earlier noted how Duterte's populism had given a sense of hope to disempowered the Filipino public. Using his "politics of fear" with "politics of hope", Duterte's populism can be understood as a calculus of schizophrenic display of raw power and charismatic leadership, on the one hand, and projections of care and narratives of salvation, on the other hand. This dual tendency is maintained through various mechanisms to political power that predominates Philippine politics and society: machinations of a violent boss (Sidel, 1999), patron-client networks (Kerkvliet, 1995), and set in a highly unequal, elitist, and family dominated political system (McCoy, 1993; Purdey, Tadem, & Tadem, 2016).

Unless the disempowered Filipino public realizes and acknowledges that Duterte is part of that same elite political system that put him to power, articulation of new ideals in political movements to challenge Duterte's populism may never work. Understanding the structural constraints, institutional roots, and even colonial beginnings of Duterte's populism is a matter of great importance.

Although this is the current political reality, it should not be the country's political future. There are ways to oppose this trend. Responding to the populist challenges to human rights, it is vital to "connect with new constituencies, combine online and offline mobilization, and develop horizontal forms of collaboration between global North and global South organizations" (Rodríguez-Garavito & Gomez, 2018, p. 34). There has to be a process of revitalizing and re-energizing human rights by reconnecting them with social movements struggles on the ground. "Human rights—as slogans, values, methods, laws, and institutional machinery—are most effectively deployed not in the abstract but in conjunction with and in support of specific campaigns, and their role and function should be to assist such concrete struggles" (Dudai, 2017, p. 18).

Noting on the ubiquitous presence and influence of social media at this populist times, it is essential to develop powerful narratives using communicative tools to "re-engaged the public on values and emotions

in order to contest populist narratives and the politics of fear and anger” (Rodríguez-Garavito & Gomez, 2018, p. 36). In this way, we challenge the populist in their own battlefield and proffer a different way of reaching out to people in a constructive manner.

Moreover, there still has to be strong and strategic opposition based on the defense of universal human rights, which is the best way to ensure the future of Philippine democracy, however fledgling it has been (Bello, 2016). As warned by Foa and Mounk (2017), “the survival of liberal democracy may now depend on the will of citizens to defend it effectively against attacks” (p.13). This can be done by defending civil and political rights that are being trampled by Duterte’s regime, while insisting on “economics of rights” (Alston, 2017, p. 9)—promotion of, in fidelity to the Universal Declaration of Human Rights, the catalog of human rights includes both categories of rights (i.e., social, political, and cultural rights on the one hand, and economic rights on the other). The principle of contestation has to be recognized and continually acted upon.

Considering the brazen disregard of Duterte’s regime with human rights in the Philippines, an accompanying shift in the focus and analysis of human rights discourse needs to be done. It should focus “as much on the *human* in ‘human rights’ as much as on rights, possibly even with a little more stress on the former” because “what is at stake is not just ‘human rights’ but shared humanity itself” (Nagaraj, 2017, p. 23).

In the end, the “epidemic of pessimism of today” should be changed to a culture of activism (Sikkink, 2018). A sense of human agency that one can change its social conditions collectively is a powerful and necessary narrative that must be reinvigorated. This is best articulated in the powerful words of Philip Alston (2017),

All of us can stand up for human rights, but each in our own way. The simple point is that each one of us is in a position to make a difference if we want to do so. *Despondency or defeat is not the answer, because there is always something we can do.* It might be a rather minor gesture in the overall scheme of things, but it makes a difference. It might be merely a financial contribution. Now is the time to be contributing

to human rights groups and advocates in ways that we have not done in the past. It is absolutely essential for us to strengthen the frontline organisations that are going to be best placed to stand up and defend human rights against the threats posed by the new populism. (p. 14)

For future studies, scholars on populism research could engage more on this new ideational approach using a different methodology. There has to be a shift into the quantification of populism researches in the Philippines, not only in a qualitative manner. The following areas of inquiry that empirically measure such variables with testable hypothesis could be explored: populist attitudes of Filipino voters, whether populist political parties exist, and the role of social media and traditional media as gatekeepers, interpreters, and initiators of populism.

Declaration of ownership:

This report is my original work.

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