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The Early Duterte Presidency in the Philippines

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Bloodied Democracy: Duterte and the Death of Liberal Reformism in the Philippines

Mark R. Thompson

Abstract: Since assuming the presidency, Rodrigo R. Duterte has “stuck to his guns” in carrying out his campaign pledge to launch a violent anti-drug campaign. Duterte’s presidency was preceded by six years of political stability and high growth under the relatively liberal and supposedly reformist administration of President Benigno “Noy” S. Aquino, III. What did voters find so appealing about Duterte given that drugs and criminality were not a major national concern until he launched his candidacy? Unlike previous populist politicians in the post-Marcos Philippines, Duterte’s strongest support did not come from the poorest voters but rather from the elite and the middle class who most feared for their personal security. Although Aquino was widely perceived to be personally honest, his administration had become “systemically disjunctive” and vulnerable to replacement by violent illiberalism because its narrative of “good governance” had been undermined, its strategic allies were weakened, and liberal institutions discredited. Duterte is an illiberal populist who changed the prevailing political order into an illiberal one through a new law-and-order governing script, new key strategic groups (the communist left and the police), and the quick removal of remaining liberal constraints (particularly in Congress and the Supreme Court). Duterte constructed a strongman political model at the local level before “nationalising” it after his election as president.

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Keywords: Philippines, Philippine politics, liberal reformism, populism, drugs

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Introduction

I'm telling the Filipino people, huwag ako (not me) [...] If I become president, it would be bloody because we'll order the killing of all criminals [...] [particularly the] drug lords – Rodrigo Duterte

[...] who will protect us from our protectors? – Ayn Rand

Since assuming the presidency in late June 2016, Rodrigo R. Duterte has “stuck to his guns,” carrying out his campaign pledge to crack down quickly and violently on drug dealers and addicts. The bloody anti-drug campaign had already claimed over 6,100 lives between Duterte’s inauguration as president in late June and the end of December 2016 when this article¹ was drafted, through “legitimate police encounters” and “victims of extrajudicial or vigilante-style killings” (Bueza 2016). This represents an average of nearly 50 people killed daily since Duterte assumed office. This number is already higher than the 3,250 non-combatants Amnesty International estimated were killed extra-judicially after dictator Ferdinand E. Marcos declared martial law in September 1972 until it was lifted in January 1981 (Mangahas 2016).

The violently illiberal turn of Philippine politics since Duterte’s election in the May 9 Philippine presidential elections is puzzling when one considers it was preceded by six years of political stability and high growth (averaging nearly 6 per cent) under a (relatively) liberal and (supposedly) reformist administration of President Benigno “Noynoy” S. Aquino, III. This continued the economic acceleration under Aquino’s predecessor Gloria Macapagal Arroyo but without the political threats (her administration faced mass demonstrations and several coup attempts). The Aquino administrations economic and political performance was a major improvement over nearly a “lost decade” of negative or slow growth and periodic political tumult from 1983–1992 shortly

1 The author would like to thank the participants at a panel on the early Duterte presidency held at the International Studies Association Asia-Pacific Conference Hong Kong on 25–26 June at the City University of Hong Kong where an earlier draft of this and several other papers in this special issue were presented. I would also like to express my appreciation to the organisers and participants of the Philippine Update Conference at the Australian National University (with special thanks to convenors Dr Imelda Deinla and Dr Nicole Curato) and a talk hosted by the Saw Swee Hok Southeast Centre of the London School of Economics on 25 October (with thanks to the chair Dr Jürgen Haacke) where later drafts were presented. I would also like to thank the Hong Kong Research Grants Council (RGC) for the research grant 145013 that has funded several research visits to the Philippines.

before and after the fall of Marcos. Although levels of inequality remained high under the (second) Aquino administration (Noynoy's mother Corazon C. Aquino was president from 1986–1992), Noynoy Aquino had the highest popularity levels over his term than any post-Marcos president before him (SWS 2016).

What was it about Duterte's message that voters found so appealing, given that drugs and criminality were not a major worry of voters according to polls until Duterte launched his candidacy and began carrying out his promise as president (Pulse Asia 2014–2016)?² Data show that crime has been declining for several years and serious crime was also decreasing at the end of the Aquino administration (Baldwin and Marshall 2016). However, a plurality of voters choose Duterte, who had threatened to declare martial law if the drug problem could not be brought under control, despite a survey at the end of 2015 finding that more than three-fourths of Filipinos were satisfied with the way democracy works in the country, up from a low of 28 per cent during Aquino's predecessor Gloria Macapagal Arroyo (Tubadeza 2016).

Unlike a previous populist president in the Philippines, Joseph E. Estrada (in office from 1998–2001), Duterte's strongest support did not come from the poorest voters but rather from the elite and the middle-class, the so-called "ABC" voters (Teehankee and Thompson 2016b). Those who are inclined to believe that the Duterte's rise is part of the global outrage against growing inequality overlook the fact that his core supporters during the campaign were among the country's most prosperous voters, even if his support base expanded after his election. Why was Duterte able to win the presidency by appealing to the better off in society with his illiberal pledge to combat drug dealers, as well as threats to restore authoritarian rule despite the apparent stability of democratic rule and rapid economic growth?

In the first part of this paper I argue that although Aquino was widely perceived to be personally honest, his administration has become "systemically disjunctive." It became vulnerable to replacement by violent illiberalism because its narrative of "good governance" had been undermined, its strategic allies were weakened, and liberal institutions

2 In December 2015, according to Pulse Asia data (2015–2016), "crime" was only the sixth "most urgent national concern" (at 25 per cent), behind controlling inflation, workers' pay, corruption, creating more jobs, and reducing poverty. However, once Duterte's late campaign began in earnest, public opinion changed, with crime becoming the number-one concern in June 2016 at 52 per cent. By September 2016 crime had again become only the sixth most urgent concern, at 31 per cent.

(particularly the judiciary) discredited. In other words, Aquino's personal popularity could not keep liberal reformism from being discredited as a form of political order. In fact, because he was popular, voters blamed "the system" for these failures rather than Aquino personally.

The second part of the paper will discuss how Duterte was able to "bloody democracy" despite supposed widespread support among Filipinos for democratic institutions and a limited concern about drugs and criminality. I will argue that Duterte is an illiberal populist who mobilised a mass constituency through the media (particularly social media) with the use of radical rhetoric portraying a corrupt elite that coddles drug dealers and addicts. Put more theoretically, he changed the prevailing liberal reformist political order into an illiberal one through a new law and order governing script, new key strategic groups (the communist left and the police), and the quick removal of remaining liberal constraints (particularly in Congress and the Supreme Court). Duterte constructed a strongman political model at the local level before "nationalising" it after his election as president.

Disjunctive Liberal Reformism

Why did liberal reformist oriented electoral democracy in the Philippines prove vulnerable to Duterte's bloody political challenge despite strong economic growth, improving transparency and credit ratings as well as the popularity of outgoing president Noynoy Aquino? In the post-Marcos Philippines, the discourse of liberal reformism – the claim that re-establishing democracy, fighting corruption, and improving the efficiency of governance should be the country's top priorities – has been used by most presidents as their chief campaign narrative and then "regime script." It can be understood as a "bourgeois" political storyline that promises "I will not steal from you." It skirts questions of equality, much less redistribution, avoiding direct class-based appeals. It can appear uncaring and morally self-righteous, particularly as poverty rates and unemployment have remained high during the post-Marcos era (Thompson 2010).

Following Stephan Skowronek's (1997 and 2006) notion of a presidential "regime" (but modifying it to apply it to the "developing country" context of the Philippines), I argue that a political order consists of a campaign narrative that becomes a "ruling script" upon a candidate's election as president, political as well as non-electoral elite "strategic group" supporters, and a particular institutional arrangement (for earlier efforts at such an analysis, see Thompson 2014b and Teehanke 2016b).

The post-Marcos liberal reformist political order consisted of a good governance narrative (“no corruption, no poverty”), key strategic groups (particularly big business, the Catholic Church, social democratic activists, and the military) and relatively liberal institutions (even if these institutions were quite weak, particularly political parties and the judiciary). The “disjunction” of the liberal reformist order provides an explanation of why Duterte’s promise to resort to violence to solve the country’s drug problem, to which he linked other problems, particularly corruption, proved so effective during his presidential campaign. Duterte was able to radicalise Aquino’s reformism, jettisoning its liberalism by promising quick results through extra-legal means.

Aquino was widely seen as honest – with no revelations about major scandals involving his relatives. By contrast, Aquino’s predecessor Arroyo was the most unpopular post-Marcos president, with key scandals linked to her husband and son. This allowed Aquino to claim that it was Arroyo’s poor leadership that was to blame for her failings, not the reformist political order. Given Aquino’s personal popularity, however, the problems of liberal reformism could no longer be blamed on an individual, but were now attributed to the nature of the political order itself. This “systemic disjunction” set the stage for it to be replaced by an illiberal alternative.

Undermining Reformism

Unlike his scandal-plagued predecessor, President Benigno “Noynoy” S. Aquino (affectionately known to his supporters as PNoy, but to his enemies as “B.S. Aquino”) long seemed able to do no wrong. He promised to take the “straight path” (*Daang Matuwid*) to clean up corruption, which he claimed would also eradicate poverty. The Philippines’ economic growth accelerated to the highest among the Association of Southeast Asian (ASEAN) nations. Corrupt politicians seemed finally be held accountable. More people paid their taxes after a Bureau of International Revenue crackdown. On the coattails of Aquino’s high opinion poll ratings, pro-administration candidates dominated mid-term congressional elections in 2013. International credit ratings agencies such as Fitch gave his administration a vote of confidence as well, upping the country’s rating to investment-grade. The Philippines steadily improved its ranking in Transparency International’s Corruption Perception Index, moving from 129th most corrupt (out of 177 countries) in 2011 to 105th in 2012 and to 95th in 2015 (Tradingeconomics 2016). Aquino seemed to be moving fast along a “straight path.”

However, in the second half of his presidency the Aquino administration's reformist credentials were eroded by a pork barrel scandal, rampant smuggling, as well as unaddressed structural problems – high unemployment and poverty rates despite economic growth with only marginal improvement in education and healthcare for the masses. Aptly symbolising troubles ahead was the Aquino administration's inability to deal quickly and effectively with the devastation caused by the super-typhoon Haiyan (known as “Yolanda” in the Philippines) in large parts of the Western Visayas in 2013. Liberal reformism had hit a “dead end” (Thompson 2014a).

Particularly damaging to the Aquino administration's good governance narrative were revelations about the Priority Development Assistance Fund (PDAF), the main vehicle for government pork barrel. The scandal's impact was wide ranging. It turned out that the doling out of patronage to legislators had been crucial to getting them to pass reformist legislation or to remove supposedly corrupt officials (with revelations about pork barrel funds for “soft projects” going to senators who voted in favour of Supreme Court Chief Justice Corona's removal from office after impeachment on corruption charges drawing particular scorn; Tig-lao 2013). Moreover, it was revealed pork barrel funds often ended up in legislators' pockets instead of going to slated projects. Only anti-Aquino legislators were targeted in the follow-up investigation, which raised suspicions that Aquino was using the chance to strike back at political enemies rather than make a serious effort to eliminate pork barrel abuses (Holmes forthcoming).

The Aquino government was also widely considered to have failed in delivering efficient public services because of under-spending on infrastructure, allowing public transportation in Manila to decay with traffic becoming among the worst in Asia (dubbed “carmageddon” by Philippine netizens). Moreover, there was a major military debacle when 44 members of the Special Armed Forces sent to arrest a wanted Islamic terrorist were massacred in a bungled operation in southern Mindanao in January 2016, the so-called Mamasapano incident. Just three months later, several farmers protesting the delay in the delivery of relief goods to a drought hit part of Mindanao were killed and over 100 more were injured in a violent police crackdown. There was also a growing sense that the illegal drug problem was spiralling out of control and that criminality generally was on the rise during Aquino's time in office, even if the statistical evidence for this proved to be dubious (Baldwin and Marshall 2016). Aquino himself admitted his pledge to clean up the Bureau of Customs had failed miserably (with three customs commissioners quit-

ting due to purported political pressure exercised by smugglers during Aquino's six-year term; Magno 2016³).

Aquino's fall from grace is particularly striking given that he had claimed legitimacy based on the promise of promoting "good governance." Not only has graft remained while government competence in key areas is often low, but the fundamental structure of Philippines society has changed little either – symbolised by the Aquino-Cojuangco family's tenacious resistance to court-ordered land redistribution of its huge sugar plantation Hacienda Luisita. More generally, the communist left was largely excluded from policy making and social issues, including land reform, were not prioritised. The Philippines' impressive macro-economic growth during the Aquino presidency was largely been fuelled by remittances from the 10 per cent of the country's population working abroad – often in menial jobs – and business process-outsourcing – primarily call centres that are mainly foreign-owned and can easily be moved to another country. Antoinette R. Raquiza (2014) showed that a new group of tycoons has emerged and overshadowed the old landed oligarchy, but also demonstrated that their wealth is based not primarily in industry but in a rapidly growing service sector and in often speculative real estate investments. Furthermore, economic growth remains profoundly unequal. In 2013, Philippine economist Cielito Habito calculated that the growth in the aggregate wealth of the country's 40 richest families in 2011 was equivalent to over three-quarters of the increase in the country's gross domestic product (GDP) in that year. Unemployment rose during Aquino's presidency, while poverty hardly dipped (with self-reported poverty actually rising). Aquino did increase government funding of an anti-poverty programme, a Brazilian-style conditional cash transfer (CCT) scheme. But critics such as Maria Victoria R. Raquiza (2016) have argued the increase in CCT benefits has been motivated by the ruling Liberal Party's desire for more patronage resources for elections would have been better spent on providing universal social services and boosting industrial policy to create more jobs.

In the unusually volatile 2016 Philippine presidential campaign, in which polls showed three different candidates leading the field at various stages, Mar Roxas, Aquino's handpicked successor, always trailed. With

3 Commenting on the resignation of a third customs chief, John Sevilla, political scientist and commentator Alex Magno (2016) said it "is a repeat of the pattern suffered by his two predecessors in the BoC [Bureau of Customs]. All three customs commissioners appointed under the current administration tried to deal with the "Big 17." They all lost their jobs. The syndicate enjoys political protection all the way up."

liberal reformism tarnished during the second half of the Aquino presidency, Roxas' promise to continue the policies of the Aquino administration proved a non-starter (Teehankee and Thompson 2015). Roxas' credibility was already damaged by his performance as a cabinet member in the Aquino administration. He was widely faulted for repeated breakdowns in public transportation and for missteps in managing relief operations after Typhoon Haiyan (called Yolanda in the Philippines) in 2013. Although a good debater (many neutral observers claim he won all three presidential debates), Roxas was a poor campaigner, often seen as haughty and aloof and unable to connect with voters about their chief concerns – a problem accentuated by the active role played in the campaign by his controversial wife Korina Sanchez, a well-known television broadcaster. Roxas was also seen to have sided with some of the most dubious local politicians in the Philippines in his (misplaced) hope that their support would boost his Liberal Party campaign.

Marginalising Pro-poor Populism

There has long been an alternative narrative available to liberal reformism in Philippine post-Marcos electoral politics that promised to address the plight of the neglected poor. Only somewhat less dramatically than in Thailand, where pro-poor Thaksin-linked governments have been repeatedly overthrown by “yellow-shirt” elites culminating in the 2014 military coup, Philippine “yellows” have overthrown a sitting president, cheated a leading presidential candidate and discredited a frontrunner in their “successful” effort to “defeat” politicians claiming to represent the poor (Thompson 2016b). In the Philippine context, pro-poor populism has involved media-based appeals to the poor by “movie star” populists (Hedman 2001) with promises to help the common *tao* (people) oppressed by elites. Downtrodden cinematic heroes fighting for the rights of poor victims against corrupt elites drew a vast *masa* (the poor masses) audience that could later be solicited for votes.

Despite being in office for less than half of his presidential term, Estrada, the former movie star elected president in 1998, did much more for the poor than he is commonly credited for, particularly in the realm of land reform and the introduction of inexpensive government treasury bills to offer safe investments to the less well-off (Borras 2007: 249–252; Torrevillas 2013). Accused of corruption, Estrada was overthrown in an elite-led insurrection in early 2001 when the Philippine congress failed to remove him from office. Although he was an elected president and still popular among the country's disadvantaged, Estrada was brought down in by protests known as “EDSA Dos” (the street in which the two peo-

ple power uprisings took place) by a coalition of the Catholic church hierarchy, big business leaders, and middle-class civil society activists ultimately backed by the military brass, making it a people power *putsch* (Thompson 2016a).

Estrada's successor was his vice-president Gloria Macapagal-Arroyo, who had been elected in 1998 largely on the basis of her image as a reformer. Her administration lacked legitimacy after taking power in an extra-constitutional manner and then manipulating the 2004 presidential election to "defeat" Estrada's friend and fellow movie star politician Fernando Poe, Jr., widely known as FPJ.

The most recent episode of elite efforts to defeat populism involved the discrediting of Aquino's vice president and 2016 presidential candidate Jejomar "Jojo" Binay. Adopting a pro-poor populist narrative similar to Estrada and FPJ, Binay appealed to the majority of Filipinos who tell pollsters that they consider themselves to have gained little from recent rapid economic growth, the benefits of which were largely confined to the rich and parts of the middle class. However, Binay's campaign was derailed by corruption charges – very publicly made in congressional hearings in which Aquino's allies played a major role – and made worse by a several blunders during the campaign, which only seemed to underline that Binay was little more than a typical "traditional politician" who would only rob the country blind. The undermining of the "good governance" narrative might not have led to the turn to violent, illiberal populism had pro-poor populism not been so effectively marginalised by "reformist" elites.

Weakening Elite Support and Discrediting Liberal Institutions

Elite support of the liberal reformist political order weakened significantly during the post-Marcos period, contributing to its disjunctive character. Although the Catholic Church hierarchy has long been very powerful in Philippine society, it became a particularly important independent actor after it was politicised under Marcos' rule (Youngblood 1990). Coeli Barry (2006) wrote that after the Church's "eleventh hour transformation from 'critical collaboration' to [...] criticism of the Marcos regime" it was able to take a prominent "place in the public sphere [...] as a crucial force in the overthrow of authoritarianism." Barry continued that in the post-Marcos era the Church's leaders have embraced their "role as a guardian of democracy," thereby securing for the Church "a prominent place in the Philippine political landscape" (Barry 2006: 157). With Cory

Aquino, the first post-Marcos president, embracing its guardianship role, the Church became a major supporter of her conservative reformist project of elite democracy and good governance. As in 1986, when he strongly backed Aquino in her protests against Marcos that led to his downfall, in early 2001 Manila Archbishop Jaime Cardinal Sin led the rest of the Catholic hierarchy in support of “EDSA Dos”, a supposed second “people power” that toppled the pro-poor populist, as discussed above. After the death in 2005 of Sin, the informal leader of the Church, its leadership became more fragmented, also through a reorganisation of the Manila Archdiocese into several dioceses with their own bishops. In the wake of revelations of sexual abuses in the Roman Catholic Church, internal divisions emerged within the Catholic hierarchy, making it more difficult for the country’s Catholic bishops to take a unified stance against Arroyo after her manipulation of the 2004 election and other scandals that emerged after the 2005 “Hello Garci” revelations. At the same time, Arroyo pampered a group of church leaders, known as the Malacanang bishops, ensuring their loyalty during the insurrectionist onslaught of military rebels and civil society (Rufo 2013). During Noyonoy Aquino’s presidency, the Catholic Church hierarchy led a high-profile campaign against a relatively mild reproductive health (RH) bill (which focused on making contraception more widely available to the poor and not mentioning abortion despite the large number of dangerous “back alley” abortions in the Philippines), which the women’s movement strongly supported (Mendoza 2013). Although the bill passed in late 2013, the Church led efforts to have the Supreme Court partially block it and its congressional allies defund it.

A bastion of liberal critiques of human rights abuses during the Marcos and, to a lesser extent during the post-Marcos period, the Church was easily out-manoeuvred by Duterte, who threatened to expose their sex scandals (claiming himself to have been abused by a priest as a child), involvement in corruption, and again pointing to their hard-line stance against all forms of reproductive health as a hazard to Filipinas’ well-being. It was not until mid-September 2016 – two and a half-months after Duterte took office and after almost 3,000 people had been killed in his “war on drugs” – that the Catholic Bishops’ Conference of the Philippines issued its first statement against extra-judicial killings (Baldwin and Serapio 2016).

Civil society activists have been the most volatile and easily mobilisable elite strategic group in the post-Marcos Philippines. Their leaders have often crossed over to serve in presidential cabinets, although they have sometimes found themselves double-crossed by feckless presidents

(Reid 2008; Lewis 2013). Civil society has been vulnerable to co-optation by the elites despite the fact that many NGOs are led by different factions of the Philippine Left. During the administration of Noyoy Aquino, as during the early Arroyo administration (before they broke with her after the “Hello Garci” scandal), so-called social democrats linked to intellectuals and activists close to the Jesuits in the Catholic Church (known to be progressive on social issues) were dominant among civil society activists. They also took the lion share of government positions related to social welfare. But the PDAF pork barrel scandal, the poor management of reconstruction of the Haiyan typhoon and other natural disasters, and continued high levels of social inequality, unemployment and poverty despite high growth gradually disillusioned and discredited these moderate left elements. They were also notably subdued support in their support for the candidacy of Mar Roxas, despite his promise to carry forward Aquino’s “straight path” toward “good governance.” With Duterte’s election, this once-powerful group of social democrats found itself quickly marginalised.

Few major institutional reforms had been made during the Aquino administration, with the problems of the Philippine justice system being a particularly obvious unresolved problem. Symbolic of the phenomenon of “justice delayed” was the trial of those accused of committing the 2009 Maguindanao massacre that killed 57 people, including 32 journalists and media workers, which Aquino had vowed would be concluded with the perpetrators brought to justice (Jose 2015). Despite Noyoy Aquino’s vow to deliver justice to the victims before his presidential term ended in 2016, the trial has been beset by delays, with not a single suspect convicted as of this writing.

More embarrassing still was a police raid of the national Bilibid Prison, the largest jail in the Philippines, in late 2014, which led to revelations that drug lords were “living like kings” in “secret luxury cells with strip bars, sex dolls, a Jacuzzi and methamphetamines” with “luxury villas, for drugs lords, kidnap gang leaders and other powerful inmates, were scattered around the sprawling 500-hectare compound” (ABC 2014). Although the raid was led by Aquino’s justice secretary, questions arose as to why the problem had been allowed to fester so long. Some critics complained of Aquino’s “consensus approach” reflecting “the Kantian dogma of liberalism,” which made him soft in terms of security and criminality issue in the interest of the “protections of people from excessive regulation” (Dizon and Cabalza 2016). While this critique seems overblown, particularly in light of crime statistics that show major crimes being in decline during the Aquino administration (Baldwin and

Marshall 2016), it appears representative of the *perception* of the Aquino administration as weak on crime and incapable of enforcing the law. Moreover, the selectivity of prosecution of those legislators found to have used their PDAF pork barrel – cases filed by the Department of Justice were confined to Aquino’s enemies – increased cynicism about his commitment to the rule of law (San Juan 2015). The weaknesses of the justice system and the supposed neglect of criminality and drug abuse by the Aquino administration provided Duterte with the opportunity to launch his illiberal law-and-order campaign narrative and assemble a new elite coalition to undermine liberal institutions.

Bloodied Democracy

The drug problem in the Philippines is serious, but not severe, with statistics showing substance abuse in decline and crime falling (Baldwin and Marshall 2016). Duterte has exaggerated the problem, inflating the number of drug users to almost double what the government’s own estimate had been (Mangahas et al. 2016). Several populist parties in Europe (such as those in Germany and Sweden) have made a dramatic increase in immigration their major campaign themes. In the Philippines, by contrast, Duterte managed to “perform a crisis”, striking a chord with a “frustrated public” with his promise to crack down on drugs (Curato 2016a: 7). Rather than criticise the Aquino regime for its social neglect, as Binay did with his pro-poor message during the presidential campaign, Duterte’s “dystopian narrative shifted the discussion to a more urgent solution,” the arrest and/or killing of drug dealers and users “until the problem is eradicated.” But this “comes at a price” Duterte warned, “the price of liberal rights” (Curato 2016a: 7).

Despite being an inexact, slippery and impressionistic political term, one common feature of “populism” across the globe is that “the people” are contrasted with a corrupt elite and often also a minority group seen to be a cause of societal ills, who are put outside of “authentic” society (Canovan 1999). Today’s populists are often not explicitly anti-democratic, but their “principled anti-pluralist” conception of “the people” – simple and good – means that they are only “impersonators” of democrats (Müller 2016). There are different ideological directions in populism. Putzel (2016) distinguished between “left populism” (Sanders, Corbyn, Spain’s Podemos and, one could add, Estrada, FPJ and Binay in the Philippines), which “taps into people’s anger by appealing to their sense of social justice and calling for the regulation of capitalism”, and “right populism” that “appeals to people’s fears and prejudices” (such as Don-

ald Trump in the US and Marie Le Pen in France). Jan-Werner Müller (2016, also see Judis 2016) argued that, for right populists,

elites are often immoral in the specific sense that they actually work only for themselves (as opposed to the common good) and for essentially undeserving minorities who do not truly belong to the demos. (Müller 2016)

Viewed from this analytical perspective, despite Duterte's strong nationalism and ties to the communist left (see below and Julio C. Teehankee's article (2016a) in this special issue), he can be classified analytically as an illiberal "right" populist who has mobilised a mass constituency through the media, particularly social media, (Singpeng 2016) with the use of radical rhetoric portraying a corrupt elite that coddles drug dealers and addicts. Duterte's demonology does not focus on abstract, structural factors ("globalisation" and "capitalism") like that of "left" populists but rather on a specific group deemed sub-human and worthy of extermination: drug dealers and users. Duterte considers drug addicts "beyond redemption" because "once you're addicted to shabu [the term used for crystal meth in the Philippines], rehabilitation is no longer a viable option" (Esmaque 2016). In Duterte's so-called "war on drugs," suspects die in "encounters" with police, are shot by motorcycle-riding vigilante gunmen, or are killed by trained and unofficial police death squads. Their tortured and taped-up bodies are left with a cardboard confessional sign strapped around their necks, saying "pusher" or "drug lord", and dumped under a bridge or in a neighbouring town. The guilt of victims is assumed – never proven, seriously investigated, or even questioned. The thousands of extrajudicial killings of suspected drug dealers and users during Duterte's first few months in office (*Rappler* 2016) and his denunciations of the United Nations, Western countries, and human rights groups, both international and domestic, that dared to criticise his violent drug crackdown signal "a more virulent form of populism" (Putzel 2016). Following Pratt (2007), Nicole Curato (2016a, also see 2016b) speaks of the "fantasy" of "penal populism": a "virtuous public" set apart from "degenerates who do not deserve due process."

It is not surprising Duterte's strongman image resonated so strongly with many Filipinos when it is considered that nearly two-thirds of Filipino respondents answered in waves 4 and 6 of the *World Values Survey* that they favoured "strong leaders" and that nearly half said they preferred military to civilian rule (*World Values Survey* 2015). Eric Vincent C. Batalla (personal correspondence) has pointed out that while Filipinos may claim they want "a democratic system, many also entertain the idea of a strong leader and autocratic rule." Given his appeal as an illiberal

populist strongman, Duterte has taken advantage of the systemic vulnerability of liberal reformism to begin building a new elite coalition around his law-and-order narrative, which is moving quickly to remove institutional constraints to a violent anti-drug campaign and to make major constitutional change.

Duterte's Illiberal Coalition and the Dismantling of Liberal Institutions

Although Duterte came to power with what can fairly be termed a “micro-party” (Partido Demokratiko Pilipino-Lakas ng Bayan, Philippine Democratic Party-Power of the People) with only one senator and three seats in the House of Representatives, it soon became the ruling party through a familiar process of defections to the winning president’s side (known as “political butterflies” or *balimbings* in the Philippines after the multi-pronged star fruit). Surprisingly, Aquino himself was sanguine about the defections from his majority Liberal Party (which held the majority of seats in the Senate and House) that were led by former Senate President Frank Drillon and House Speaker Belmonte (Dizon 2016). This mass turncoatism occurred despite Liberal Party warnings during the campaign that Duterte planned to erect a dictatorship. It also indicated how hollow the Liberal Party’s promise to become a “programmatically” party with a clear political doctrine and membership loyalty had been. It proved to be as much a party of “*trapos*” (traditional politicians) as every other. It can be surmised that this sudden change of heart among Liberals, despite Duterte’s continued illiberal rhetoric, was due to the desire to protect key members of the party from prosecution, most prominently former Budget Secretary Florencio “Butch” Abad and perhaps even Aquino himself for the Aquino administration’s DAP Disbursement Acceleration Program (DAP) patronage distribution scheme that had been ruled unconstitutional by the Supreme Court.

With the Catholic Church on the defensive and social democratic civil society activists discredited and demobilised, as discussed above, two new groups have moved to the forefront in support of Duterte’s administration: the police and the communist left. In addition, the courts have been reluctant to intervene against Duterte’s violent crackdown on drugs and constitutional change open a potential Pandora’s box of growing illiberalism being institutionalised.

The Philippine police have a long history of being subordinated to local politicians. Many Philippine warlords have their “own” police force. This gave the police the reputation of being little more than the coercive

arms of powerful politicians. Duterte's rule in Davao was also closely linked to the police, particularly his local (and now Philippine National) police chief Ronald "Bato" dela Rosa. However, in his few months in power Duterte has already moved to increase the status and national significance of the police who are pleased with their new role as the enforcers of Duterte's anti-drug campaign (Tawatao 2016), with one police official calling it the "golden age" of the Philippine police (Almendral 2016). Significantly, Duterte has also moved to revive the Philippine Constabulary, a US colonial institution that became a bulwark of Marcos' martial law regime and was subordinated to the military in the post-Marcos period in an effort to end some of its worst abuses during the authoritarian era. Duterte's restoration of the Constabulary to independent status is seen as a setback to efforts to civilianise the police and a return to a more militarised form of policing (Ranada 2016b).

Duterte was known for relatively close ties to communist leaders during his time as mayor of Davao. One of his closest advisors, Leoncio Evasco, whom he appointed to the key position of secretary to the cabinet, is a former communist whom he sent to jail when a city prosecutor, but later befriended. Duterte appointed several key militant leaders linked to the communists to cabinet positions related to social issues (labour secretary, social welfare, and agrarian reform). Business leaders have already complained about efforts to raise the minimum wage as well as discussions about ending short-term contractualisation that deprives workers of benefits (known as *endo*, as in end of contract) (McBeth 2016).⁴

However, the communist left's support has proved useful for Duterte. By invoking anti-colonial nationalism against the left's old nemesis, the United States, thereby gaining sympathy from lower-ranking officers in the military and the police, Duterte has been able to pre-empt the long running violent conflict between the communist left and the military, building a kind of united front against the Americans from without and against drug dealers from within. The communist left had been at the forefront of previous human rights campaigns against government "salvaging" (an easily misunderstood Filipino-English expression that does not refer to saving someone but rather connotes their

4 It is unclear how much business leaders really have to fear. While claiming he is the Philippines' "first left-leaning president," Duterte's economic agenda has thus far not veered far from the neoliberal orthodoxy of his predecessors. He has even called for a loosening of limits on foreign investment. For more on Duterte's economic policy see Eric Vincent C. Batalla's contribution to this special issue (Batalla 2016).

death through extra-judicial killing). This is not surprising as activists engaged in legal activities linked to the communist left were targeted in such campaigns, particularly during the Arroyo administrations, in which extra-judicial killings spiked (with estimates ranging from several hundred to over 1,000 leftists killed⁵). However, aside from issuing one condemnation of the drug killings in August, the far left has been largely silent or even supportive of Duterte despite his obvious violation of human rights, an issue that used to be at the top of their agenda.⁶

It might be assumed the judiciary would be at the forefront of the efforts to curb extra-judicial killings under Duterte. However, having already been on the defensive since the removal of Chief Justice Renato Corona by the Aquino administration for quite transparently political motives, the Supreme Court has been wary of confronting a president head-on. A number of judges, including Supreme Court justices, have faced accusations of political influence pedalling and even plagiarism (Vitug 2012), which is another reason to avoid confrontation with a president known to be skilful at using his opponents' weaknesses against them. When Supreme Court Chief Justice Sereno criticised Duterte for naming several judges on his "narcologist," instead urging him to abide by the rule of law in his fight against drugs and raising concerns about extra-judicial killings he admitted the courts had been too slow to deal cases against hundreds of thousands of people suspected of involvement in drugs and threatened to declare martial law (Jerusalem and Ramos 2016). Appearing to back down, the Supreme Court then ordered a probe into four of the judges named who were still on the bench (although as usual, the Philippine president offered no evidence for the accusations, with one of the accused judges having already died eight

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- 5 In his report Parreño (2011) counted 305 extra-judicial killings between 2001 and 2010 (Arroyo's term in office), while Casiño (2016) quotes Karapatan, a human rights group, which estimates there were 1,206 extra-judicial killings during this period.
- 6 Ramon Casiple (2016), executive director of the Institute for Political and Electoral Reform, played down the thousands of extra-judicial killings, claiming that the anti-drug campaign had been a "success" in terms of reducing the drug trade (also see Valente 2016). By contrast, another leading left activist, former *Bayan Muna* member of the House of Representatives Teodoro ("Teddy") Casiño warned that the "initial indifference when [communist left] activists started getting killed during the Arroyo regime is similar to today's ambivalence in the face of the killings of suspected drug addicts and pushers [...] Denouncing the killings should not mean condoning the alleged illegal activities of its victims. What it should translate to is a demand for the police and military to follow the law and respect due process and human rights [...]."

years earlier) (Mogato and Birsell 2016). With few judicial constraints, Duterte's killing spree has continued unabated.

Duterte as Law and Order “Boss”

For nearly three decades before he became president, Duterte was either mayor or the power-behind-the-throne (first with his one-time political, and later his daughter, standing in for him) of the large city of Davao located in the southern island of Mindanao. Writing about his Davao reign in 2002, *Time* magazine (Zabriski 2002) dubbed him “Dirty Harry” (after the movie with a policeman as vigilante), portraying Duterte as a motorcycle-riding, gun-toting mayor and comparing him to “The Punisher” (after the vigilante Marvel comic book figure) for condoning the summary execution of alleged criminals. Duterte used his record as Davao mayor as his campaign calling card. It was during his time as mayor that he crafted a tough-guy (*sigma*) image, proclaiming himself the saviour of communist-infiltrated and crime-infested Davao (Teehankee and Thompson 2016b). The people of Davao “allowed him to rule with an iron-fist in exchange for social peace and personal security” (Isaac and Aceron 2016). Duterte shrugged off accusations of human-rights abuses, promising to implement his Davao model nationwide.

Duterte was not the first presidential candidate to run on a law and order platform: former Police Chief Panfilo Lacson had the slogan “Iron Fist” in 2004 presidential elections (Curato 2016a). But Duterte's narrative was more “compelling” about “what can be done if he is in charge [...] He calls it Exhibit A: Davao City” (Curato 2016a). Duterte pointed to Davao as a city transformed from violence and conflict (the “murder capital of the Philippines”) to a peaceful place where business and culture flourished and which had been named among the most liveable in Asia. Duterte claimed to have shown the benefits strongman rule could bring at the local level: he now promised all Filipinos similar advantages if he was elected the nation's president.

John Sidel's notion of “bossism” captures Duterte's leadership style well. Sidel's study (2004: 55; more comprehensively, Sidel 1999) of local bosses in the Philippines defined bossism as

local brokers who enjoy an enduring monopolistic position over coercive and economic resources within their respective bailiwicks [such as] long-term mayors who ran their municipalities as their private fiefdoms [...].

Duterte, who long enjoyed a monopoly on violence in Davao, has quickly usurped such coercive powers at the national level as well since being

elected president. Duterte was in fact part of a subset of warlords who did not focus on fighting his political enemies, rather reserving most of his wrath and firepower for drug criminals, allowing him to cut deals with communist insurgents and make peace with surrounding political bosses to make it easier to fight “the bad guys.” As Danilo Reyes (see his article in this special issue) has shown, several mayors in the Philippines have pursued similar strategies of “eliminating” criminals through extrajudicial killings, not only to deter crime but also to win popularity that has aided their repeated re-election. In an environment of lawlessness, where institutions are weak, the strongman who protects the good common *tao* (people) against the evil criminals is not only able to legitimise his ruthless *modus operandi* but also to ensure his long-term hold on office. Despite his repeated claim to be a reluctant presidential candidate,⁷ Duterte apparently tired of being merely a local boss, overcoming his *ennui* by becoming the Philippines’ boss-in-chief.

Aside from the significance of Duterte’s local political background, he was also able to use his status as a political outsider from the southern island of Mindanao to his advantage. Mobilising sentiment against “imperial Manila” as the first mayor from a major city outside the capital to launch a viable presidential bid, he could not only count on solid support in eastern Mindanao but draw backing from his Cebuano co-linguists in the central Visayas. He also gained support in the northern island of Luzon generally, as many local politicians defected to his side, further adding to his campaign’s momentum.

Preliminary research by Putzel (2016) has shown that besides his regional strengths, with his strongman law and order campaign, Duterte polled strongly in urban areas where media-based political narratives are most crucial to attracting votes. In cities with a population of 100,000 or more Duterte received 45 per cent of the vote, up from the 37.28 per cent he gained nationwide. By contrast, Roxas, with a weak reformist message, received only 18.6 per cent of the vote in such cities, compared to his 23.84 per cent of the vote nationwide.

Another aspect of Duterte’s repeal that has received little systematic attention is his “informal” (read expletive-filled) political speech (Szilágyi

7 Duterte delayed his decision to run for president (he was filed at the last minute, substituting for another candidate put up by his party) and instead went on an extensive “listening tour” of the country under the guise of promoting federalism (Teehankee and Thompson 2016: 129). Many saw it as a strategy that avoided unwanted scrutiny by his political enemies (who were at the time attacking the frontrunner Binay, as discussed above and in Ronald D. Holmes’ article in this special issue).

and Thompson 2016). Duterte's discursive style, which is vulgar and often offensive, has helped him connect to voters through its informality, known in the literature as "style switching," the employment of an inappropriately informal style by political actors in public situations (Labov 1973). Duterte was a charismatic campaigner with his "colourful" language perceived as an indication of his "refreshing authenticity" (Santos 2016). Duterte's "backstage rhetoric" entertains crowds, with one reporter commenting: "Believe it or not, it's his cursing that never fails to generate laughter even in formal, upscale settings" (Ranada 2016a). In fact, it is not despite but because of the context that Duterte's cursing makes people laugh. Although the death of thousands of supposed drug dealers at addicts at the hands of police and vigilantes is no laughing matter, Duterte's "style switching" helps keep the tone of his administration lighter than one might otherwise expect.

Transgressing Liberalism

Duterte has responded in typically feisty manner to international criticism of his "war on drugs," accusing foreign critics of hypocrisy and ignorance. He threatened to withdraw the Philippines from the UN if it continues to criticise the killings and called the US ambassador to the Philippines Philip Goldberg "gay" and a "son of a whore" for daring to raise questions about the "war on drugs."⁸

Duterte has also targeted his domestic enemies with overheated rhetoric. When Senator Leila de Lima launched a senate investigation of the killings and warned Duterte he could face trial by the International Criminal Court, he responded with a personal attack, accusing her of "sexual escapades" with her driver who had collected payoffs linked to illegal drugs while his allies removed her as head of the senate investigative committee with the lower house setting up several investigations of

8 Just as this article was being completed, Duterte accused (now former) US Ambassador to the Philippines Goldberg of plotting against his administration. The background is a purportedly leaked State Department briefing paper in which Goldberg analysed the early Duterte administration and its potential weaknesses – particularly as it turns away from the US, which the former ambassador is said to have claimed has alienated many pro-American Philippine politicians (Ang 2016). Goldberg supposedly called for the "the US government to employ a combination of socio-economic-political-diplomatic moves against Duterte "to bring him to his knees and eventually remove him from office." "Strategies to be employed" include isolating the Philippines politically and economically in Asia by "highlighting the basic question of the risk of doing business in the Philippines" (Ang 2016).

de Lima instead. De Lima proved “vulnerable” to such accusations because she had sinned doubly in the context of a misogynist political culture: not only was she having an affair (although separated, this was considered worse than the behaviour of Duterte, who happily confessed to womanising) but she had also crossed class lines to do so. Duterte summed up the accusation with typical vulgarity: “De Lima is screwing not only her driver but also the nation” (Regalado 2016).

The chair of the Philippine Human Rights Commission Chito Gascon has launched an investigation into the killings, leading Duterte to label him an “idiot.” Former Commission on Human Rights Chair Etta Rosales also criticised Duterte, saying that despite being a lawyer he is making a mockery of the criminal justice system. Duterte later threatened to kill human rights activists critical of his drug crackdown (Regalado 2016). Duterte has been able to implement what he, comparing his drug war to Hitler’s genocide against the Jews, has himself inappropriately called “the final solution” to the Philippines’ drug problem (Lema and Mogato 2016), another striking example of Duterte’s discursive extremism, which has been matched by the violence of his drug crackdown. Duterte’s popularity soared upon the launch of his “war on drugs,” peaking at over 90 per cent and remaining at 86 per cent after his first hundred days in office despite thousands of extra-judicial killings (Daguna-Bersamina 2016, for a more critical view see Parameswaram 2016).

Duterte’s presidency has put the Philippine’s fragile democratic institutions to their severest test since the Marcos dictatorship was overthrown in a largely peaceful “people power” uprising 30 years ago. It is symbolic of the death of the EDSA (“Epifanio de los Santos”: the name of the street where anti-Marcos protests were centred) political order that Duterte ordered a “hero’s” reburial of Marcos in the Libingan ng mga Bayani cemetery, which took place in mid-November 2016 after Marcos critics failed to convince the Supreme Court to block the internment.

Walden Bello, former congressman and noted activist-intellectual, pointed out that Duterte has not “feared to transgress liberal discourse (Bello 2016). Not only does this not trouble a significant part of the population, they’ve even clapped for it!” As shown above, Duterte’s core supporters are from the middle class, not the poor. “Dutertismo,” as the Philippine sociologist Randy David (2016) has termed it, has been driven by middle-class concerns about drugs and crime generally, as well as crumbling infrastructure, and continued corruption. Duterte’s aggressive electoral campaign played to the deep resentments of those marginally better off after a couple of decades of solid growth and despite the

“straight path” anti-corruption platform of the outgoing administration of Benigno “Noynoy” Aquino. The “politics of anger” (Teehankee and Thompson 2016a) leaves little room for treating drugs as a health problem, and using the rule of law to deal with it, thereby avoiding the criminalisation of the poor (Dioquino 2016).

Bello (cited in Dioquino 2016) has prophesised that the violent drive against illegal drugs will be ineffective in the long term and that it is “a war against the poor” that “only addresses the symptoms rather than the root cause.” Bello argued the solution is to address poverty, as drug use is “prevalent among the poor and underprivileged” (Bello, cited in Dioquino 2016). A recent study (Collins 2016a) of coercive anti-drug campaigns around the world concluded, after surveying the literature, that “the failures of the ‘war on drugs’ have been well documented.” Rather there is a need for “sustainable development which should be prioritized over eradication [...] militarization, widespread criminalization or any other ‘pigheaded’” anti-drug policies (Collins 2016a).⁹

Conclusion

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. Duterte not only won the election but also quickly established a new political order. Deploying an illiberal populist “law and order” narrative during his presidential campaign that has become the “governing script” of his early presidency, Duterte has assembled a new ruling coalition (with the police and communist left playing key roles) very distinctive from the previous liberal order. Any remaining institutional barriers to this illiberalism were quickly removed with mass defections to his once tiny political party and the timidity of the Supreme Court.¹⁰ Although a nascent elite (and fe-

9 Collins (2016b) directly criticised Duterte’s drug policies in an editorial in a Manila newspaper arguing that based on evidence from similar coercive anti-drug efforts around the world “the Philippines’ new ‘war’ will fail and society will emerge worse off from it.”

10 Another concern is Duterte’s proposed constitutional changes. Although supposedly focused on introducing a federal form of government, once constitutional rewriting commences key liberal features of the present 1987 constitution might be removed to make it more in keeping with the country’s current illiber-

male-led) opposition to Duterte has emerged, it remains largely powerless and widely mocked.¹¹ Under Duterte, democracy has been bloodied through the systematic violation of human rights in the name of a crackdown on drugs through the impunity of the police, beginning with the elected president himself, who has encouraged and defended state violence, which has been organised by his loyal friend and former Davao police chief whom he appointed to run the national police.

The precedent for such bloody rule was set during Duterte's days as Davao mayor or its informal leader (through his family dynasty) for a generation following the fall of Marcos. But Duterte is a distinctive kind of warlord politician. Instead of fighting his political enemies, he focused his wrath and firepower on drug criminals, allowing him to cut deals with communist insurgents and make peace with surrounding political bosses. It also made him enormously popular in Davao as a "law and order" mayor who showed he meant business by ordering criminals killed *en masse*. Duterte now promises national political salvation by claiming that, given weak institutions, only violent strongman rule can bring political order to the country.

al *Zeitgeist*. Duterte has repeatedly warned that he may be "forced" to declare martial law to complete his drug crackdown and has criticised the current constitutional provision that requires the approval of the Supreme Court and Congress before a president can declare martial law (Corrales 2016). Given Duterte's open contempt for human rights and his violent "war on drugs," the promised "overhaul of the Constitution can easily stoke the fear that it is an attempt to reinstate authoritarianism and curtail civil rights and political freedoms" (Agugay 2016).

- 11 For their supporters, the "three Ls" – Vice President Maria Leonor "Leni" Santo Tomas Robredo, Senator Leila de Lima, and Loida Nicholas Lewis, a leading Philippine-American activist – are the promising new "faces" of the opposition. But they are the object of (typically misogynist) scorn from "Dutertards" as "the three stooges," the "three leading 'Ls' of the Liberal Party's League of Loathsome Ladies. Their main mission in life [...] is to trample the will of the Filipino people underfoot, overthrow the government they chose and install themselves or their surrogates to rule the nation [...] by means of a petticoat palace coup" (*The Volatilian* 2016). Former president Fidel V. Ramos, long the *eminence grise* of Filipino politics (who played a role in the overthrow of Estrada, saving Arroyo from being toppled, and encouraging Duterte to run for the presidency) has become a kind of "semi-oppositionist" who, while continuing to support his administration, called the first 100 days of Duterte's presidency a "huge disappointment and let-down", which means the Philippines is "losing badly" by focusing on the drug crackdown instead of poverty, jobs, and investments (Sim 2016).

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