

## Chapter 20

# Unseen and Unheard: The Women in Duterte's War on Drugs

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In 2016, Duterte came into power [in the Philippines] and since day one he declared the war on drugs. He issued a police memorandum that is called the 'double barrel'. This is how they demanded that police go after low-level drug users, drug traffickers, drug offenders. The other barrel is the HVT, these are 'high value targets'. Those go after smugglers, bigger drug traffickers and those with tons and tons of meth, cocaine and marijuana (Human Rights Watch, 2017). So, the plan is a two-pronged approach.

There have been drug operations which resulted in the killings. As of early this year – 2019 – there have been 5,000 people who died during legitimate police operations (Coronel, Padilla, & Mora, 2019). The other 29,000 were not legitimate police operations, but were vigilante killings (Johnson & Giles, 2019). These are under investigation, so we don't yet know the facts thereof, but as for the 5,000 people, it's confirmed – it's during drug operations. They say that they fought back and that they were pushers, sellers and have guns, so the police are just saving themselves. That's why they died and that has been happening since 2016.

Three years later, because of the international pressure and the international attention that it got, the president tried to reshuffle the police officers – those who are assigned in Metro Manila, where most of the killings happened, and in Cebu – they'll be shuffled to the countryside, away from media centres, away from human rights advocates, away from public scrutiny. These rural areas that now have new Chiefs of Police, they are those that are badly hit, formerly what you could find in Manila (Amnesty International, 2019, p. 23). They brought the war to the countryside and the killings still happen, but now they don't get that much attention. Most of the traditional media is not covering it because it's not news

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anymore. It's been happening for three years already. So, the killings still continue (Kine, 2017).

It's also a political strategy of control – to have social control of an entire country. He was able to control the Supreme Court and remove a chief justice (Mogato, 2018). He was able to appoint all of his allies into the Supreme Court. So, when there's a Supreme Court case questioning the constitutionality of the operations, it will still be pending after three years, two years (Kurlantzick, 2019). The Supreme Court is supposedly an independent body and it is supposed to uphold the Constitution. Our Constitution is mostly based on the American constitution, so it has a Bill of Rights and everything. It's not just the judiciary which was able to also control the legislature. Most of the people who run are his allies and they won. He has a vice president who ran for vice president during his time in 2016, and he's now the speaker of the House (Jiao et al., 2019). He's also been able to control the Senate. Most of the people who are in there are his allies (Santos, 2019).

Aside from the Senate, he was also able to control the media. We have seen news of the arrest of Maria Ressa, who was one of his chief critics and who runs RAPPLER. Ressa's and her company have 11 charges against them, including for tax evasion (Cabato, 2019a). They're trying to stifle her voice. Other media outlets like the ABS-CBN, being one of the largest media outfits in the Philippines, the more mainstream, they have their franchise pending in the legislature (Cepeda, 2019). They just can't criticise the government as freely as they did previously because they're not going to get their franchise. They're going to close down if that happens (Human Rights Watch, 2020).

It's the media, the legislators, the judiciary and even the population. There is an 82 per cent approval rating for the drug war (Cabato, 2019b). He's very popular. I think there is around a 70 per cent approval rating for the president himself (Cabato, 2019b). Most of that is because of propaganda. It's very, I would admit, effective propaganda using social media, fake news and troll farms that keeps him elected (Bradshaw & Howard, 2017, p. 15)... It's a very well-oiled machinery that created this image of a person who's like every Filipino, very down to earth, who's not from these aristocrats.

I think one of the factors that got him this 82 per cent approval rating is because he was able to lower the crime rate for some other crimes, but not homicides. Homicides are way up there. He was able to reduce the number of crimes against property, burglary, kidnapping and rape (Coronel et al., 2019). He was able to have this propaganda that it's because of this drug war, it's because we're killing drug users that we were able to bring other crimes down. That's the formula that he was able to sell, and most of his supporters are really middle class Filipinos whose main concern is their security.

There's this anti-poor sentiment that people who are poor are lazy. People who are poor are using drugs, people who are poor are doing the car-napping, getting into houses and stealing stuff from them. They are the ones who commit these crimes, and because they're getting killed, the middle class are now safe. So, they support him. The drug war is just an anti-poverty programme. This anti-poverty programme is actually to kill the poor (Amnesty International, 2019). The way he legitimised this was through the drug war. That's what's happening and that's

basically the political landscape of the Philippines over the last three years. It's harrowing, actually, to be in the Philippines.

I was actually supposed to be an environmental lawyer. That was the plan. I do scuba diving and that's what I was supposed to do when I graduated from law school. But, then I graduated law school at the same time that Duterte came into power in 2016. When you are a new lawyer you kind of believe that there's some sort of semblance of rule of law in the Philippines, and now you've got Duterte. On day one, rule of law was just thrown out of the window, so how can you be a lawyer in a country where there is no rule of law?

I got into the programme, the HKU [Hong Kong University] drug policy programme. During the course, I was able to meet some other lawyers from different backgrounds – somebody from FLAG, the Free Legal Assistance Group, and somebody from HLAF, the Humanitarian Legal Assistance Foundation. They're working on pursuing reforms and HLAF is working on defending the marginalised. We got together and realised that there's no legal assistance or legal aid group that specifically supports people who use drugs.

It was November of 2016, and there were already 5,000 deaths (Sullivan, 2016). I remember thinking that no one or no group, even the human rights organisations in the Philippines, are doing something for those who were killed because they are drug users. In Southeast Asia, the Philippines is luckier when it comes to having a robust civil society movement. There are a lot of organisations, most of these human rights organisations cater to LGBTIQ rights, environmental justice, rights of the farmers, and other specific groups, like women. There are a lot of lawyers for that, but nothing for PWUD. Suddenly, being a drug user is an identity, a political identity, you're now a marginalised person, you are now part of a community that is targeted by this government.

One of the earliest evidences of gendered impacts was when we did a scoping with a Cebu dormitory for women. It is just one of the prisons for women in the Philippines and has a small population. In early 2017, there was a 100 per cent increase in the inmates, all women inmates, since July 2016 when this war was waged. Eighty per cent of those who are new in jails are there for drug cases. There has been a rise in the number of women going to prison for drug offences since this war was waged and that is reflected all over the country.

This is not really highlighted because more of the focus and attention was steered towards the more shocking thing – the killings (Johnson & Fernquest, 2018). Most of those who are victims of the extrajudicial killings are male and the average age is 30. Most of them are meth users and the level of education is not college, just high school. They are often either unemployed or low income. There is a lack of attention on the women that we saw in Cebu, which is a thing that people should be worried about, but they're not because it's a women's issue and perhaps because they're still alive.

There was also a study conducted by NoBox where they interviewed women who are in prison for drug offences (Angeles et al., 2019). It's alarming also to note that, aside from the sheer number of women going into prisons just like in any other jurisdiction or country, there is a shared experience of women getting into drug use or getting into selling because of experiences of abuse by people

they know and by the police – when they get arrested and when they get their houses get raided (Angeles et al., 2019). There is also this additional layer of violence when their children are taken away from them and other kinds of experiences that only women who use drugs experience. This is because first, it's already stigmatised to be a drug user and, second, if you're a woman drug user, there is so much stigma. All of these violences are permitted or becoming normalised in the context of a war.

The second shocking thing that I learned from that study is that women in households, those that are caring for the children, because they're so poor – really low income or zero income families – they live in the slum area and they have to sell drugs. It's a kind of side line because they get to have time to take care of their kids and, at the same time, they get laundry and cleaning jobs just to make ends meet. If only the husband is going to work it would not be enough, so they have to sell drugs. Even when they go to prison for selling drugs, they can still get income and then they can send it to their families while in prison (Angeles et al., 2019).

It's so crafty and it is like a special skill for women in these kinds of situations to just do everything to the best of their abilities to get money so they can help their husband or get their kids to school or get food. They don't have the sort of moralistic notion that what they're doing is bad – it is just a way for them to live. They go to prison for that. They are harassed by the police because of that. There are so many other things that they go through. They don't have access to legal aid or lawyers and they have to stay in prison more than the number of years that they're supposed to be penalised with. The penalty is shorter than the time they are in detention, so they're not yet convicted but they already used up the years while in detention. Later on, their case is just going to be dismissed, but they've already finished the number of years.

There are so many stories of women who are victimised in other ways by this war, and the most appalling thing is that they don't get as much attention. I'm not saying that they should be prioritised or something, but they should be heard and these stories should be out there. This is because the women and the stigma surrounding drug use and drug selling, when you're a woman, is much more than when you're a man and you're a drug user. When you think of a drug user, it's always a man in your head. Women are culturally expected not to succumb to any addiction or some sort of moral failure, such as drug use. But, it is the women who put food on the table; they're not unemployed or just caring for the children, they are breadwinners too. That is what's lacking in the narrative.

The mainstream stories are about widows and orphans because the focus is their relation to the men who were killed. They're just reduced to their relationship to the men. The narrative or the story stops there. They want to invoke sympathy – these women they're innocent, their husbands died and they're the breadwinners – but they don't know the real story! These are low income families and the woman is also a breadwinner. Even if she's a widow, that's a relation to the husband or a partner who died. She's also victimised because of the ways they survive – selling drugs, being in contact with drug users, drug running or being a courier. That's a sideline – that's the economy and the only opportunity they

have. When they go to prison in the end, and some are also killed, their stories are forgotten. It's always that they're windows and they have to take care of the orphans. StreetLaw PH, because we're concerned with the gendered impacts of the war on women, we tried to talk to some friends in the media for them to cover it, but they're not interested. It's not shocking, it's not news, so what is the value of these stories?

We are trying to have a way to reach out to women drug users or women who are, I don't want to call them drug offenders, but that's how the government categorises them, so those who are in trouble for drugs. The problem now is that they're not organised. We've been working with IDU Care, it's an organisation of people who inject drugs in Cebu, and they have 13 core staff and all of them are boys. I always tell them, 'you should recruit women!' Every Thursday they have a group learning session where they invite their peers. They're not really organised, but they're drug users. We came into one of these group learning sessions and we told the executive director of IDU Care, 'we need women, you should be bringing women, we're encouraging you. I know it's difficult, but we're encouraging you to reach out to these women'. They just say that now they don't have time.

There was this one session that we did, and they came. It was just half a day because they have a lot of things to do; they have so many side jobs. They came with their babies. They don't have daycare, but we were having fun with the babies. We were taking them while they were speaking and teaching about human rights. They were all running around and then one would cry – it was a lot. But, it was telling us that this is the picture of things that we should be doing for women – the extent of assistance that we should be trying to provide. We can't respond to them right away and their needs right now because there are so many things that we have to consider. We have to consider their time, they have multiple jobs, and we have to consider their fare, their transportation. IDU Care paid for their fares, and it was actually a learning experience for us that some of them live on the streets. They don't have homes, so they came in here wearing dirty clothes. The reason that they came was because IDU Care was giving free HIV testing, Hep C medication, and then there's a bag of rice and canned goods that come along with their attendance.

After a couple of hours, we were teaching them their rights – that they shouldn't surrender and that they should get away. When the cops are coming upon your drug operation, they should contact their village chief and then sort of set up a refuge for them. It's very situational, but these are your rights. No search warrant or no warrant of arrest – they can't arrest you. If you go to detention, these are the number of hours that you can be detained. After 36 hours, you should be free. You have the right to a lawyer and this is our number. You have to contact us whatever time it is, wherever you are. Just give the phone to the police and we're going to talk to them. You have that right, and we're going to be there. Those were the kinds of things we covered in a couple of hours, and after that, they get their rice, then they get the medication, they get tested and then they go home. This was a one-off thing.

We hope to institutionalise that kind of service. We were lucky because IDU Care did a really great job and they told us that they are going to hire a woman peer-worker now. It was effective. I told them

you boys can't just speak for your women peers. You have to have somebody who is a part of the group and who is going to think about all these things which you don't think about – childcare or the food on the table. You just come home and you expect your wives or your girlfriends to feed you.

This is not saying that they're sexist or misogynist, but there has to be a woman's voice in the way we're thinking about the programmes that we're doing and in the needs assessment.

There are so many other organisations doing a lot of work. Other groups, human rights organisations, are doing the documentation of the actual killings, but none of them bothered about the 1.3 million surrenders because they're still alive and they're using drugs. They're not prioritised by all of the responses that are being given. So, that's how we try to respond to the gendered impacts of the war on drugs. We have that group learning sessions and we tried to invite women to the group learning sessions. We're not yet organising them, or they're not yet organising, because they can't identify themselves as a drug user, especially in the context of the Philippines or Manila. Most of the people that are organised on the basis of their identity as drug users are organised, not for political advocacy, but because of HIV programming or for the legalisation of medical marijuana. For the boys at IDU Care, who are kind of 'woke' and empowered, they can say, 'I'm a drug user in the Philippines', because they've got a lot of support. Most of the drug users are not as lucky, and it's worse for the women who will not tell you that they're using or selling drugs because of the double stigma. You can just imagine how much burden they have to think about. They have to think about this identity that they're really forced to think about because they're targeted. It's kind of absurd that they're forced to identify themselves as a drug user or somebody who has a drug offence just because the state of this war is forcing them to do that.