

The power of mimicry: How human rights are covertly undermined in the Philippines

Following the overthrow of the dictatorship of Ferdinand Marcos Sr. in the 1980s, it became commonplace for political leaders in the Philippines to claim to stand for democracy and human rights. Yet the recent global trend of democratic erosion has shifted this pattern, as exemplified by the presidencies of Rodrigo Duterte (2016-2022) and President Ferdinand 'Bongbong' Marcos Jr., son of Marcos Sr.

In the Philippines, as in many parts of the world, there appears to be a resurgence in leaders' use of discourses that seek to undermine the value of human rights, as defined by the Universal Declaration of Human Rights. These discourses work overtly, through brazen attacks against human rights systems, principles, and actors, and covertly, through attempts to mimic and distort the meaning of human rights.

Many of former President Duterte's speeches (my research has so far been on the period from 2016 to 2022 and is ongoing) exemplify overt tactics to undermine human rights. Although Duterte said throughout his presidency that he did not care about human rights, the term featured in many of his speeches. In my research analysing Duterte's official speeches, I have found at least 300 in his six-year term where he mentioned the word 'human rights' at least once. In some, he mentioned the term human rights as much as 15 times. In most instances when these words were used, it was in defence of the "war on drugs" that he championed, and to disparage human rights advocates, who saw this "war" as enabling severe human rights violations, such as the widespread killing of civilians. In his speeches, Duterte characterised human rights as a tool of Western imperialism, accused human rights advocates of conspiring with criminals and terrorists, and justified the killing of criminals as a necessity that he would be glad to do. In a move unprecedented in past presidencies, Duterte through these discourses removed all pretence of respecting human rights standards and instead actively worked to justify their violation.

Paradoxically, despite such brazen rhetoric, Duterte in some instances also feigned to embrace human rights. After all, it is not easy to sustain an outright rejection of

human rights, which still carry normative power. When Duterte did so, however, he would often interpret rights in exclusionary terms, by claiming to solely protect the rights of “innocent” people against the threat of “criminals”. We see this interpretation in his speech during the 75th Session of the United Nations General Assembly, where he said, “The Philippines will continue to protect the human rights of its people, especially *from* the scourge of illegal drugs, criminality, and terrorism.” (Emphasis added.)

This tactic embraces human rights only to justify their violation, aligning well with what scholars have called the “(mis)appropriation of human rights”. This describes the use of human rights language “in the service of ends which are exclusionary, repressive, or anti-pluralist in character”, as well as in ways that are “highly retrogressive...[and/or] evasive of “external monitoring or accountability”. It commonly manifests in “human rights mimicry” in which the language of human rights and its commitments is co-opted, precisely to undermine it. Mimicry functions in a more sophisticated way than overt attacks against rights, as it presents a facade that makes attacks harder to identify and combat. This highlights the importance of constantly remaining vigilant about political discourses on human rights.

In the Philippines, we can see such strategies of (mis)appropriation at play under Bongbong Marcos’ leadership. Since assuming presidency, Bongbong has sought to brand himself as a “human rights supporter”. Differing from Duterte, he has not brazenly disparaged rights, sworn at human rights institutions or threatened human rights activists. On the contrary, Bongbong has vowed to protect human rights in the Philippines and has even recently formed a “super body” on human rights aimed at strengthening efforts to protect and promote human rights in the country.

At the same time, however, Bongbong has engaged in the distortion of human rights history and evaded mechanisms of accountability that can bring justice to victims of violations. For example, he has not taken steps to redress the human rights violations committed during his father’s term, often evading discussions about these atrocities. Moreover, the Marcos family has distorted this history by re-narrating Marcos Snr.’s presidency as a period of “economic prosperity and political order” while erasing the realities of “corruption and human rights violations”.

Bongbong has also eschewed mechanisms of accountability for addressing the “human rights crisis” that has occurred more recently. In particular, he has refused to cooperate with the International Criminal Court’s investigation into the alleged crimes against humanity that had been committed during Duterte’s “war on drugs”.

Moreover, drug-related killings persist under Bongbong's leadership. Documentation shows that between the start of Bongbong's presidency on 30 June 2022 and 7 June this year, there were 679 drug-related killings reported. Such contradictory actions signal that Bongbong's alleged endorsement of human rights, indicate not so much a commitment to these ideals, but to justifying his family's hold on power, while evading accountability for human rights violations, both past and present.

This article, brought to you by the University of Melbourne, is part of an Asia Institute and Asialink series on democracy in Southeast Asia. The series coincides with the upcoming Southeast Asia Oration at the University, to be delivered on 4 July by Mr Pita Limjaroenrat MP, a Member of the Thai House of Representatives and Former Leader of the Move Forward Party.

Syme de Leon is a PhD Candidate at the University of Melbourne's Asia Institute. Her thesis focuses on better understanding human rights discourses in the Philippines under former Rodrigo Duterte's Presidency.

Image: A protest in the Philippines, with people holding signs against state fascism, July 2022. Credit: Louis Dela Cruz/Shutterstock.