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## Review Article

# Lost Lives: Extrajudicial Killings and the Breakdown of Justice in the Philippines

<sup>1</sup>Jaziel M. Fabro

## About Article

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### About Author

<sup>1</sup>Mindoro State University, Philippines

Contact @ Jaziel M. Fabro  
[fabrozey@gmail.com](mailto:fabrozey@gmail.com)

## ABSTRACT

To live in this world is a great opportunity, but to take away the right to life is against humanity. Human rights refer to the rights that are enjoyed by all individuals, regardless of their nationality, race, or origin (United Nations). The right to express, the right to life, and a life free from discrimination are some of the features of human rights. These rights are protected by the constitution of each country to ensure that individuals live peacefully. However, there are instances where these rights are being violated and victims cannot defend themselves. One of the alarming examples is the execution of extrajudicial killings where people's basic rights are being denied. There's no exception in the implementation of the campaign; even the children became targets of the unjust system. Extrajudicial killings became prevalent in the Philippines under the administration of President Rodrigo Roa Duterte. The campaign involves unlawful actions where individuals are executed without undergoing the due legal process. The government actions caught the attention of the international community amidst the anti-drug operations and massive killing while targeting individuals without concrete evidence. This study employs a qualitative approach to explore the effects of extrajudicial killings on human rights and societal dynamics by reviewing existing literature, case studies, and reports, with a particular emphasis on the war on drugs campaign of President Duterte.

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## 1. INTRODUCTION

Extrajudicial killing is an unlawful act where the state or government is forced to illegally kill an individual without following the due process of the law. The extrajudicial killing became popular internationally and even in the news; victims were not proven to be engaged in some drug activities but were shot immediately. In Bangladesh in 2010, there were 127 people who were judicially killed, and from 2013 to 2017, there were 845 documented cases, and none of the cases were investigated by the government (Kamruzzaman *et al.*, 2016).

Here in the Philippines, extrajudicial killing has become commonplace under the administration of former President Rodrigo Roa Duterte in his "War on Drugs" from 2016 (Rowden, 2023). It was June 30, 2016, the streets ran red as President Rodrigo Roa Duterte won the presidential election (Evangelista, 2023). Some celebrated and others were frightened in the possible undermining of his leadership. This marked the beginning of the war on drugs as what he promised during his presidential campaign. In order to eradicate the increased number of drug trafficking he ended up with this plan (Elok & Setiyono, 2023). This alarming campaign led the New York Times to report that 9000 people died, which is equivalent to 32 individuals per day (Johnson & Fernquest, 2018). There were lists of people suspected of being related to these drug activities from local police, elected officials, and ordinary Filipinos included in the watch list, and they became targeted in "Oplan Tokhang." Filipinos who were not going to surrender had a greater chance of receiving the execution. Corpses who were found dead have cardboard signs indicating that they are drug addicts (Johnson & Fernquest, 2018). According to the data provided by the Philippine National Police, there were 22,983 people died when the campaign for the war on drugs started. However, the exact number of deaths cannot be identified wherein the government failed to disclose official documents (Human Rights Watch, 2017).

This alarming scenario caused controversy in the media and led to another problem wherein the Duterte administration accused them of "being dramatic" and "yellow journalism" (Johnson & Fernquest, 2018). Aside from being allegedly drug addicts, journalists also became victims of the violence and injustice system by the administration. Just like in the Marcos regime during 1986, more than 170 journalists were executed, and this is being repeated under Duterte (Johnson & Fernquest, 2018). However, the society saddened when one innocent teenager became victim of the execution and was caught on the CCTV being led by the police (Fernquest, n. d.). Additionally, there were total of 122 children died from July 2016 to December 2019 as reported by Human Rights group (Gavilan, 2020). The killing increases the public concerns and fear among families particularly in their children that might be susceptible in the war on drugs. The families of victims were seeking for justice for their love ones who had died without explaining the main reasons.

## 2. LITERATURE REVIEW

Extrajudicial Killing (EJK) refers to the unlawful killing of individuals without due legal process, and it has become a pressing issue in developing countries like the Philippines,

Indonesia, and Nigeria, where adequate evidence and resolutions are often lacking (Nasir, 2017). The persistence of EJK in these countries reveals systemic issues within their judicial and law enforcement systems. During Rodrigo Duterte's presidency in the Philippines, the "War on Drugs" campaign led to widespread EJKs as Duterte aimed to eradicate drug-related crime within a tight timeframe. This campaign resulted in numerous cases of warrantless searches, arrests, and fatalities among suspected drug offenders, with many victims being unjustly labeled as resisting arrest (Purugganan, 2021). The inadequate response from authorities and the lack of transparent investigations have worsened the human rights crisis, emphasizing the urgent need for comprehensive legal reforms and enhanced international oversight.

The Amnesty International (2019) report claimed that Duterte's administration urgently needs investigation due to its ongoing harm to innocent and poor individuals. This claim is supported by research from Human Rights NGOs, which found that the majority of victims were from marginalized communities. Despite these findings, President Duterte defended his administration during his campaign, asserting that those on the watchlists were drug addicts and criminals, and that their deaths were "justifiable." Critics argue that this stance ignores the broader human rights implications and the systemic issues affecting these communities.

Hapal (2017) discussed the case of 17-year-old Kian Delos Santos, who was murdered during the "War on Drugs." Police officers suspected Kian of being a runner for his family, which they claimed was involved in illegal drugs. However, there was no evidence to support the allegation that Kian belonged on any watchlist; instead, he was a teenager whose life was taken under questionable circumstances by uniformed personnel. The officers were accused of manipulating the situation to make it appear as though Kian had initiated the confrontation. Hundreds of people expressed their sympathy at Kian's funeral, both to show support and as a form of protest against the administration's controversial drug war. Despite this, some segments of the public continued to support Duterte, viewing the campaign as necessary despite the tragedy. In response to the public outcry, Kian's case became a focal point for calls to investigate the killings linked to the drug war. His death eventually led to the conviction of the police officers involved, marking a rare moment of accountability.

The justice sought by the families of victims was not achieved, and the challenges for the families of poor users and dealers worsened (Caranza, 2021). The investigation into the War on Drugs by the International Criminal Court represents a critical opportunity to pursue the justice that many individuals have been seeking. Despite the international attention, the process has been slow and complex, facing obstacles such as political interference and difficulties in gathering evidence. The ongoing scrutiny highlights the urgent need for reform and accountability in the handling of such cases. Ultimately, the investigation could set a precedent for how similar human rights violations are addressed globally.

Machiavelli believed that political leaders should be realistic rather than idealistic, suggesting that achieving goals sometimes necessitates engaging in morally questionable



actions. Duterte's approach to tackling drug trafficking involved extreme measures, including the loss of many lives. While his administration argued that such actions were necessary to combat drug-related violence, the international community, particularly human rights organizations, has been vocal about the abuses committed under his campaign. These organizations have called for investigations and accountability, despite efforts by Duterte's government to obstruct such inquiries. The ongoing investigations highlights the tension between the perceived necessity of harsh measures and the fundamental need for human rights and justice. The truth about these events, including any potential cover-ups or hidden agendas, will likely emerge as investigations continue and international pressure mounts.

According to Walzer (1973) in his Theory of Integrity, politicians are merely worse than us, and he claimed that the idea of dirty hands is the central role of political life. They may have a clear intention in society, but there are instances where they rule without thinking about the possible violations it will cause to moral principles. He also added that the men who lead us seem to be our enemies. Politicians will use their constituents to achieve their main goal, even though there are many individuals who will suffer from their actions to achieve its main goal even though there are many individuals who will suffer in his action. This moral ambiguity challenges the ideal of political purity and underscores the complex relationship between ethics and governance. Consequently, political leaders are often left grappling with the consequences of their choices, both in terms of their personal integrity and the impact on those they govern. In Duterte's case, his administration's war on drugs led to numerous extrajudicial killings, causing international alarm and condemnation. These actions further highlight the tension between maintaining public order and upholding human rights.

### 3. METHODOLOGY

This study employs a qualitative approach to explore the effects of extrajudicial killings on human rights and societal dynamics. The study centers on a detailed review of existing literature, case studies, and reports, with a particular emphasis on the situation in the Philippines during Duterte's presidency. Key sources of data include reports from human rights organizations, news media, and academic research. The aim is to provide a deep, nuanced understanding of the consequences of extrajudicial killings, focusing on both their immediate impacts and their broader implications for affected communities.

### 4. RESULTS AND DISCUSSION

#### 4.1. Is extrajudicial killing in addressing the state's drug problem is justifiable because the 'collateral damage' is small compared to the bigger societal benefit?

No. The government's intention was to lessen the number of victims of drug trafficking. However, in the action that they took, many innocent Filipinos were killed during the war on drugs. There were people who questioned the justice system in the country, yet the government tends to protect their side and still blames those victims for getting killed because they

are users. The deaths of many innocent people can never be justified as collateral damage. The government officials who were involved in this campaign were trying to wash their dirty hands.

In the case of the war on drugs during the Duterte presidency, it is clear that the administration is trying to lessen the number of drug traffickers. However, the actions of the government made the situation worse. The society suffered from their injustice practices, which resulted in the deaths of innocent people. Dirty hands will always be there from the start, even though politicians will deny it because they need to balance their moral principles and political responsibilities in the country. The right thing to do in a given scenario is to do wrong, which resulted in the abuse of powers by some politicians, uniformed personnel, and other allied members of the administration (The Ethics Centre, 2019). It is not right to kill and blame the victim as guilty without undergoing a judicial process. However, if that's the case, politicians challenge themselves to do the wrong, aiming to make it beneficial for everyone.

#### 4.2. No one succeeds in politics without getting his hands dirty (Walzer, 1973)

The dilemma a politician may experience is getting his hands dirty when entering the world of politics. There are different issues and concerns that must be addressed, and you must face those people who have placed their trust in your good governance. However, as Walzer stated, there is no leader who needs to have a clean hand; if that's the case, their journey in politics will not last. The Duterte administration's fight against the war on drugs made a huge impact during his six years of leadership. It made the Philippines known abroad for the massive killing of drug addicts, dealers, or persons involved in different drug activities. Duterte may have the right to avoid it, but as he enters the room of politics, doing terrible things to prevent more terrible things is one of the choices that he needs to think about. There are two duties of politicians: the first is to neglect and not intervene, and the second is his responsibility to intervene.

In the case of the implementation of war on drugs, Duterte was strongly ordered to kill those persons who allegedly involved in drugs. Innocent people who became victims of unlawful killing, children were killed despite of telling they are not involved and a family member of guilty individuals who received death. However, he is not strong enough to accept that he committed moral crime since he was afraid to ICC to conduct further investigation in the campaign. He refused to say to everyone that it was his mistake but he was determined to lessen the drug addicts in the country through oplan tokhang for those in the wash lists. Walzer (1973), the man who accepted his moral burden and acknowledge his fault he is a guilty man. Hence, if the politician's tortures and have to think the best choices for his action for the benefit of its constituents, even it is wrong his hands will be clean.

It's easy to get dirty hands in politics, and the collateral damage that resulted from the extrajudicial killing was considered proof that something was being violated. The life that was taken away from innocent victims is a tragedy for



the families, and it will never be justifiable. The opportunities for young children killed by uniformed personnel cannot be turned back, and it is massive damage to the feelings of the parents who raised their children in the country that they thought had a good future for them. The voice for justice is still urging in the mind of the family of victims.

## 5. CONCLUSION

Extrajudicial killings in the Philippines under the Duterte administration exemplify the grave consequences of a broken system where political decisions bypass due process, leading to tragic loss of innocent lives. While the war on drugs aimed to reduce crime, the cost has been the erosion of human rights, trust in governance, and justice. No societal benefit can justify the widespread abuse of power and the destruction of families whose loved ones were denied a fair trial. Politicians, as Walzer suggests, often face situations that compel them to "dirty their hands" for the perceived greater good. However, there is a moral limit to this principle. Killing innocent people as collateral damage crosses that line, making the ends not only unjust but deeply unethical. Duterte's refusal to acknowledge the failures and moral crimes of his campaign, while seeking to block international investigations, reveals a reluctance to accept accountability.

Moving forward, the Philippines must confront this dark chapter by ensuring that justice is served for the victims and by holding those responsible accountable. The international community's attention, including the ICC investigation, represents a step toward rectifying these wrongs, but true change must come from within. The government needs to reform its institutions, re-establish respect for human rights, and foster a political culture that values life and the rule of law over brute force. Only by doing so can the country begin to heal and move towards a future where such tragedies do not repeat themselves. The integrity of any leader is tested not by their intentions alone, but by their willingness to take responsibility for the consequences of their actions.

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