

# The War on Drugs under Marcos: A Policy Review

In the ongoing saga of Philippine drug policy, the Marcos Jr. administration's "Buhay ay Ingatan, Droga ay Ayawan" (BIDA) campaign stands as a departure from its predecessor's unabashedly violent drug policy. This comprehensive initiative aims to combat the nation's drug crisis through prevention, law enforcement, and rehabilitation strategies, garnering praise for its holistic framework. Despite its attempts to veer away from the violent and punitive approach of its predecessor, the current program has shortcomings that need addressing to ensure a humane approach rooted in rights and community empowerment.

## The Drug War under Marcos

On November 26, 2022, the Marcos Jr. administration initiated its anti-illegal drugs initiative named "Buhay ay Ingatan, Droga ay Ayawan" (BIDA). It focuses on drug demand reduction and rehabilitation through prevention, law enforcement, prosecution, correction, and rehabilitation. This initiative is a drug war but with a "developmental focus" that involves multiple government agencies and adopts a multi-perspective strategy, empowering local governments to develop their anti-illegal drugs action plans. Despite being implemented for less than a year, the BIDA Program has been recognized as one of Asia's top government projects by GovMedia.

DILG Secretary Benhur Abalos highlights the program's aim to tackle illegal drugs at their source, expanding initiatives like the Revitalized Pulis Sa Barangay (RPSB) program to enhance community involvement in ensuring safety and security. By engaging various sectors such as schools, health institutions, local government units, and civil society organizations, the BIDA Program claims to have made significant strides, welcoming thousands into its community-based rehabilitation program and declaring numerous barangays as drug-free.

Secretary Abalos is not holding back on raising awareness on the BIDA program. Infomercials to raise awareness were aired in cinemas through a partnership with business entities. DILG has also partnered with sports institutions as part of their awareness campaigns. The BIDA Program's regional launches are well-attended, drawing participation from a wide range of advocacy groups and representatives from various local government units (LGUs).

As of March 2024, the program claims to have welcomed 5,913 surrenderees into its community-based rehabilitation program and 23,979 graduates of its program. It declared 28,000 barangays as drug-free after more than a year of implementation, a jump from the 24,000 barangays cleared by the end of the Duterte administration.

The BIDA Program aligns with the current administration's priorities of distinguishing itself from its predecessor by emphasizing a comprehensive approach within a legal framework in combating illegal drugs. This approach, however, is not entirely new, and is rooted in the historical context of the Philippines' ongoing battles against drug use.

## Tracing the Path of Philippine Drug Policy

The Philippines has navigated a complex drug epidemic intertwined with socio-political dynamics. Initially affecting the affluent, drug use spread to the middle and lower classes, prompting policy shifts. In the late 1960s, drug dependency emerged, influenced by global trends like the hippie culture and the Vietnam War, highlighting the role of socio-political factors in shaping drug dynamics in the Philippines. The country's strategic location facilitated illegal drug transshipment, with cannabis and opium prevalent due to their pricing. By the 1970s, drug use surged among urban youth. During his 1971 State of the Nation Address, Marcos Sr. framed drug use as "antithetical to peace and progress," setting the tone for a punitive approach that intensified under Martial Law. The narrative constructed around drug use as a menace was reinforced through information campaigns, solidifying the prohibitionist stance. He implemented RA 6425 or the Dangerous Drug Act of 1972 amidst the purported security crisis in the Philippines. The execution of Lim Seng, a purported drug syndicate leader, marked one of the first decrees emphasizing the severity of drug-related offenses.

In the late 1990s and early 2000s, methamphetamine trade surged in Southeast Asia, with methamphetamine hydrochloride gaining popularity in the Philippines. This transition from opiates to amphetamines intertwined drug use with occupation-related needs, boosting energy levels for urban workers. Methamphetamine hydrochloride, or shabu, gained popularity in the Philippines for its potency and accessibility, earning the moniker "the poor man's cocaine." Despite a shift toward progressive viewpoints on drug dependency, Southeast Asia maintained a harsh approach to drug trafficking, with the death penalty common for offenders. The 1987 Constitution removed the death penalty, reinstated during the Ramos administration, and abolished it again in 2006.

Similar to the BIDA program, the Philippines has had its own run of similar multisectoral anti-drug campaigns. Gloria Macapagal-Arroyo launched "Himagsik ng Bansa Laban sa Droga: Sagipin ang Ating Henerasyon (Himagsik)" that targeted drug syndicates. She also launched Barkada Kontra Droga (BKD) Program, institutionalized in 2007 by the Dangerous Drugs Board (DDB) to promote a drug-free lifestyle among the youth. Other groups that emerged were Crusade Against Violence, Citizens' Action Against Crime, Mamamayan Ayaw sa Droga, KillDroga, and the Citizen's Crime Watch.

Globally, the cornerstone of drug control efforts remains supply control and demand reduction strategies, which are also prevalent in the Philippines but face significant challenges. Macapagal-Arroyo's Comprehensive Dangerous Drugs Act of 2002 replaced the Dangerous Drugs Act of 1972, strengthening the country's anti-drug efforts. The new law focused on both supply control and demand reduction, emphasizing compulsory rehabilitation. By 2003, these measures led to an intensified drug campaign. For example, drug seizures increased from 1.8 million tons to 3.4 million tons in 2004. However, these efforts only resulted in higher street prices and a shift from single-drug use to poly-drug use.

Under President Rodrigo Duterte, punitive measures were further intensified, with illegal drugs framed as a critical threat to national survival. Duterte's rhetoric cast drug users and dealers as dangerous elements, and his campaign led to the deaths of thousands. Estimates suggest that over 27,000 individuals have been killed since 2016, many in police operations or by vigilante groups allegedly supported by the state. The Philippine National Police (PNP) has been implicated in numerous extrajudicial killings, with evidence of planted drugs often used to justify these actions.

The human toll of Duterte’s “war on drugs” extends far beyond the deaths. Families of the urban poor recount harrowing experiences, including the ransacking of homes, the planting of evidence, and trumped-up charges like illegal gambling. According to the 2023 Human Rights Situationer published by PhilRights, these abuses continue under the Marcos Jr. administration due to a prevailing culture of impunity. Many police officers and government officials from the Duterte era remain in power, allowing these practices to persist. Despite changes in rhetoric, the fundamental human rights crisis remains unresolved.

Key operations in Duterte’s drug war include Oplan Tokhang, where police visit suspected drug users’ homes to pressure them to surrender, and Operation Double Barrel, targeting alleged drug lords. These initiatives have faced criticism for their violent outcomes and lack of accountability. Many victims were poor individuals living in urban slums, exposing a stark class divide in the enforcement of drug laws.

Despite these harsh measures, recent discussions in the Senate have raised the possibility of decriminalizing small-time drug use. Senators Ronald “Bato” dela Rosa and Robin Padilla have advocated for decriminalization, sparking debate over whether this indicates a genuine shift toward a more humane drug policy or if it is largely symbolic. While human rights groups cautiously support these proposals, there are concerns that the current administration’s overall approach still leans heavily on punitive measures rather than rehabilitation. Meanwhile, efforts to legalize medical cannabis in the Philippines have gained momentum. Senate Bill 2573, also known as the “Cannabis Medicalization Act of the Philippines,” along with similar bills in the House of Representatives, marks a shift toward a health-centered approach. The push for medical cannabis legalization, however, presents a contrast to the BIDA program’s emphasis on drug control, leaving questions about whether the government is adopting a rights-based and health-focused approach to drug policy.

While the BIDA program claims to address both supply control and demand reduction, it remains to be seen whether it adequately incorporates harm reduction strategies or genuinely prioritizes rehabilitation over punishment. The program still largely focuses on punitive measures and fails to address the root causes of addiction, such as poverty and social inequality. Human rights organizations have long called for more compassionate, community-centered approaches to drug dependency, stressing that sustainable solutions must go beyond enforcement.

Despite calls for a more compassionate approach, rehabilitation efforts faced obstacles, emphasizing the need for sustainable solutions. Cases of violence in drug detention centers have been documented by Human Rights Watch in Northeast and Southeast Asia, highlighting poor living conditions and forced labor. A system of compulsory rehabilitation and punitive sanctions was put in place in the Philippines, though it frequently encountered obstacles in implementation, resulting in a cycle of relapse and recovery.

#### Stuck on Repeat: The Flaws of the Current Anti-Illegal Drugs Policy

The current anti-illegal drugs policy under the Marcos Jr. administration despite being presented as a comprehensive but less bloody approach targeting prevention, law enforcement, and rehabilitation, falls short of upholding key principles such as participation, accountability, non-discrimination, human dignity, and the rule of law. However, a closer examination reveals a significant disparity between the government’s assertions and the actual situation on the ground. Reports from partner communities and human rights organizations depict a scenario of ongoing drug-related human rights violations, persistent harassment, and a lack of substantial change in drug enforcement methods.

Despite the administration’s portrayal of a more compassionate and rehabilitative stance under a more legal framework, the reality contradicts this image due to the continued use of punitive measures by state agents. Dahas has recorded over 800 reported drug-related killings within the Marcos Jr. administration. This is contrary to his pronouncements of being against violence in

handling the drug campaign, suggesting underreporting influenced by factors like mislabeling arrests and reduced media coverage. This lack of transparency and accountability raises serious doubts about the government’s dedication to human rights and the rule of law. Families of victims are coerced into signing waivers by the police, furthering a culture of fear and intimidation that violates human rights and erodes trust in the justice system, perpetuating a cycle of violence. The aggressive tactics employed by state agents, coupled with reports of harassment and intimidation, suggest a discriminatory approach that targets vulnerable individuals and communities. This is particularly concerning as the majority of victims are from the urban poor, who have been linked to drug use. Upholding non-discrimination principles is crucial for ensuring fair and just treatment for all, regardless of their circumstances. Moreover, the administration’s reluctance to engage seriously with International Criminal Court (ICC) investigations into human rights violations during the drug war further undermines its accountability and commitment to justice, perpetuating a culture of impunity. The ICC has been investigating the drug war since 2021, but the Philippine government has repeatedly requested deferrals and failed to cooperate fully. This lack of cooperation perpetuates a culture of impunity and raises questions about the administration’s willingness to address the human rights violations committed during the drug war.

Despite the government’s claims of a shift towards prevention and rehabilitation, the reality on the ground suggests that the drug war continues unabated, with aggressive tactics and human rights violations persisting. The exclusion of the Commission on Human Rights (CHR) from drug war-related investigations further exacerbates the lack of transparency and accountability in the government’s approach.

The rehabilitation aspect of the policy faces challenges as well, by failing to address the root causes of drug addiction such as poverty and social inequality. Rights groups have criticized the nature of existing rehabilitation programs in the Philippines, highlighting that they are still punitive in their approach. This criticism underscores concerns about the lack of a human rights-based approach in the current rehabilitation strategies, indicating a need for reforms to ensure that rehabilitation programs are aligned with international human rights standards and prioritize voluntary and evidence-based services.

Despite efforts to provide rehabilitation and support programs for individuals with substance use problems in the Philippines, there remains a significant societal stigma surrounding addiction that is not adequately addressed by the existing initiatives. This stigma, deeply ingrained in the cultural and socio-political landscape of the Philippines, poses a barrier to the effective reintegration and acceptance of individuals seeking recovery. The lack of meaningful community participation and the policy’s disproportionate impact on marginalized groups exacerbate discrimination and violate human dignity.

The policy’s focus on awareness programs falls short of transformative solutions, with reports of police harassment undermining rehabilitation efforts. The BIDA program, while presented as comprehensive, lacks depth and substance, emphasizing awareness campaigns over evidence-based solutions. When asked, partner communities are not even aware of the BIDA program beyond passing interactions with tarpaulins being paraded around but no substantial people’s participation and contribution taking place. Communities’ lack of awareness and engagement with the BIDA program raises questions about its empowering nature. Else, its continuation of aggressive tactics all point to a need for a new approach that prioritizes human rights, justice, and the well-being of individuals and communities. The administration must take concrete steps to address the underlying drivers of drug addiction, including poverty, lack of opportunities, and social inequality, and must prioritize a rehabilitative approach that is grounded in evidence and respect for human rights.

Meanwhile, the Alternative Development and Outreach for Rehabilitation and Empowerment (ADORE) program, spearheaded by the Philippine National Police (PNP), presents itself as a multifaceted initiative aimed at strengthening the government’s anti-drug efforts through

a more comprehensive approach. The program focuses on prevention, enforcement, and community rehabilitation by engaging local government units (LGUs), non-governmental organizations (NGOs), and other key stakeholders. Anchored on the principle of a holistic drug demand reduction strategy, ADORE emphasizes collaboration among various sectors to establish support systems for those affected by drug use while maintaining strong law enforcement measures against illegal drugs. Despite the program's emphasis on outreach and community involvement, questions remain regarding its alignment with a true Rights-Based Approach (RBA).

A genuine RBA requires prioritizing inclusivity, accountability, and participation from the communities most affected. Critics point out that while the program attempts to integrate livelihood training and rehabilitation support, there is insufficient evidence that these interventions are fully participatory or address the root causes of addiction, such as poverty and lack of opportunities. Reports suggest that ADORE still falls back on traditional punitive measures, which can hinder the shift towards a more rehabilitative model. Furthermore, ADORE's interventions remain in question, as the focus on community-based efforts must go beyond mere outreach and awareness campaigns. For instance, while livelihood initiatives are part of the program's framework, it has not consistently demonstrated long-term empowerment or established accountability mechanisms to protect communities from ongoing abuses by state agents. The continuous reliance on police-led operations, even under the guise of outreach, has led some human rights advocates to view ADORE as insufficient in shifting the approach from a law enforcement-driven model to one genuinely centered on rehabilitation and human rights.

For ADORE to fully embrace Rights-Based Approach, the program must prioritize meaningful community participation, ensure transparency, and establish safeguards against human rights violations. As the campaign evolves, there is a critical need for policymakers to focus on addressing socio-economic factors contributing to drug dependency, thus preventing the continuation of a cycle where aggressive enforcement overshadows rehabilitation efforts. Integrating these principles effectively would mark a significant step towards a drug policy that genuinely prioritizes both justice and human dignity.

## **The Call for a Rights-Based and People-Centered Approach**

The call for a more scientific, rights-based, holistic, and community-oriented approach to drug control is clear. Conversations with partner communities have revealed that economic hardships, unmet needs, and violations of rights often drive individuals to resort to drug use. Individuals labeled as "addicts" turn to drugs as a means of coping with grueling work schedules, highlighting the urgent need for dignified employment opportunities with proper safeguards.

Ongoing efforts should prioritize addressing the root causes of addiction, including housing insecurity, mounting debts, and food scarcity. Partner families emphasize the importance of tailored solutions, such as livelihood programs, to address the continued use and sale of illegal drugs. By addressing these systemic issues and empowering communities with sustainable solutions, the drug epidemic can be effectively combated from its core. However, despite the current drug policy's claim to adopt a community-based and health-focused program, community partners still experience threats, harassment, illegal arrests, and other human rights violations.

It is imperative to advocate for genuine reform that places the needs and well-being of the community at the forefront. The current drug policy should be overhauled so that it focuses on participatory strategies, reflecting the needs of the community. By acknowledging the failures of the past and embracing a new approach guided by community input and evidence-based practices, we can make strides toward a more just and compassionate drug policy.