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Police Violence and Corruption in the Philippines: Violent Exchange and the War on Drugs

Steffen Jensen and Karl Hapal

Abstract: In this article we explore the relationship between money and violence in the Philippine war on drugs. Building on long-term ethnographic and political engagement with a poor urban neighbourhood in Manila, we suggest that while the war on drugs has taken state killings to a new level, the Philippine state was no stranger to killing its own citizens before its onset. Furthermore, we argue that we cannot dissociate the killings from the rampant corruption in the Philippine police. By invoking the concept of violent exchange, the article shows that both corruption and death enter into particular understandings of state–citizen relationships. Because the war has reconfigured how death and corruption work, people in urban Manila are attempting desperately – as the stakes are high – to figure out how to engage with the police under these transforming conditions.

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Keywords: Philippines, violence, corruption, drugs, exchange

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When Rodrigo Duterte took over the Philippine presidency in June 2016 he ushered in a war on drugs, as he had promised to do in the campaign. He drew on his alleged successes in curbing petty crime and fighting drugs in his hometown of Davao City on the island of Mindanao (Altez and Caday 2017; Quimpo 2017; Curato 2017). While he proudly claimed ownership for hundreds of deaths, he managed to avoid legal responsibility. Human rights groups in the Philippines and abroad were aghast as the consequences of the nationwide war on drugs began to show in the death toll. By late 2016, approximately 9,000 casualties, mostly from the poorest areas of urban Manila, had been ascribed to the war on drugs (Human Rights Watch 2017). While critiques are mounting abroad and at home, the Philippine government has denied responsibility and claimed that their campaign of *Tokhang*¹ was not a strategy of extrajudicial killings, but rather, as the name indicates, a policy of registering, talking to, and rehabilitating drug addicts. The government also tried to skirt responsibility for the many killings by referring to criminal infighting and unsolved murders rather than police killings. However, evidence is mounting that *Tokhang* watchlists have in fact been turned into kill lists (Human Rights Watch 2017). This has raised academic and political debates about the shocking return to authoritarian rule and the production of a deadly sovereignty (Reyes 2016) where those deemed “disposable” (Tadiar 2013) can be killed without sanction (Agamben 1998).

While we agree with these criticisms, from our vantage point in urban Manila where we and our partners have undertaken fieldwork and human rights work since 2008, two issues seem to warrant further consideration. First, while Duterte’s war on drugs and the killing of Filipinos represent a radicalisation and mark a new deadly phase, the Philippine state is no stranger to killing its own people (McCoy 2009). The second issue is that the focus on sovereignty and the production of authority through fear obscures the fact that police violence is and always has been animated by extortion rackets, radicalised in the present as “*Tokhang* for ransom” (Coronel 2017). However, rather than taking the practice of extortion at face value, we propose viewing these practices as part of intricate exchange relations where violence, or the threat of it, is key (Jensen et al. 2017). Drawing on anthropologist David Graeber’s (2011) contribution, we suggest that violence is the means through which human relations are transformed into human economies of equivalence – that is, violence and the threat of violence produce relations and ex-

1 *Tokhang* means “knock and plead” and refers to local officials doing the rounds by alerting drug addicts and telling them to join drug rehabilitation programmes.

changes in which human life is price-tagged in ways that the police and even residents (sometimes) believe are legitimate and useful: violence, or the threat of violence, is what propels people to pay.² This, in turn, establishes a set of complicated exchange relations understood as intense negotiations and exchanges of material and symbolic resources between police and the policed.³

We ask in this article,

How are violence and exchange relations connected in policing the Metro Manila district of Bagong Silang, and how have these exchange relations transformed in relation to the war on drugs as ushered in by President Duterte?

In answering these questions, we propose two related arguments: First, exchange relations constitute precarious encounters that need to be managed with the utmost care by both police and those they are extorting within a parallel, corrupt, and often violent system that mirrors the official criminal justice system. Second, the war on drugs, even if it was also couched in an anti-corruption language, has transformed the parameters of violent exchange in ways that made the system even more expensive, expansive, and unstable.

In order to conceptualise policing relations as exchange relations, we draw on Janet Roitman's important insight that the focus should not be limited to regulation or authority as such; rather, we must also take into account the relationships that are called forth and produced by regulation (Roitman 2004). In her analysis of illegality and social relations in the Chad Basin, she illustrates the prominence of social relations over institutional concerns of sovereignty and state power in the Agambean sense. Two caveats are necessary at this stage: First, when we employ Roitman's notion of regulation, we do not mean regulation as expressed in normative frameworks of how regulation should be (in terms of what is laid out in the laws and what institutions should do). Rather, we must understand regulation as existing policies and practices such as, in our case, the drug war, the over-burdened prison system, and the extortion of money by police in exchange for release. These are not necessarily

2 Graeber says, "It is only by the threat of sticks, ropes, spears and guns that one can tear people out of those endlessly complicated webs of relationship with others (sisters, friends, rivals...) that render them unique, and thus reduce them to something that can be traded" (Graeber 2011: 208).

3 In talking about exchange relations, we draw on anthropological understandings of exchange relations as pioneered by, for instance, Marcel Mauss (1966) and as developed by Pierre Bourdieu (1977).

indications of state failure; they are constitutive of state control. Second, when we evoke exchange relations from economic anthropology, we do not suggest that reciprocity involves equality or mutual consensus. Rather, following Anette Weiner (1992) and Marilyn Strathern (1988), exchange relations are always unequal and often coerced.

Empirically, the article draws on data from a long-term engagement in the form of research and human rights intervention in Bagong Silang. This data consists of ethnographic material from different periods of fieldwork (Jensen, 2015), quantitative data from a victimisation survey (Jensen, Hapal and Modvig 2013), interviews with the police and policing agencies both before and after the introduction of the Tokhang (Hapal and Jensen 2017), and interventionist human rights reporting and documentation of the Balay Rehabilitation Centre. While this constitutes a strong data set, the war on drugs is evolving and ever-shifting. In a sense, we are trying to pin down a moving target. However, we think it is imperative to engage with the consequences of the war – even if some of the conclusions can only be tentative. A reader would also be warranted in asking to what extent we can generalise from our account of Bagong Silang, the largest *barangay*, or district, in the Philippines in terms of both area and population. The drug war has disproportionately hit poor areas of Manila and we are quite certain that we can at least ask similar questions in similar areas of the city. The borders of the drug war also explain why Duterte's popularity remains high, as most people are correct in assuming that the war is on someone else. In this way, the drug war puts into stark relief the class distinctions of Philippine society.

We organise our argument chronologically and begin by outlining policing in Bagong Silang before the war on drugs as caught between sovereignty and exchange. This analysis will equip us to ask a different set of questions in the section about Tokhang as violent exchange and the art of making money during the drug war. We end by discussing reconfigurations of the relationship between exchange and violence to suggest that residents are dealing with a constant sense of unease and unpredictability, as they draw on experiential tactics that used to work but increasingly seem overwhelmed by the transformation to their social world introduced by the drug war.

Policing Bagong Silang: Between “*Ok lang*” and Excessive Violence

Since its inception as a relocation site in 1986, Bagong Silang has been perceived as a security threat – a hotbed of criminality and political mobilisation.⁴ The relocation site, a pet project of former first lady and former governor of Metro Manila Imelda Marcos, was established both to address the perceived overflow of people in the centres of Manila and as a counter-insurgency strategy to break up political organisation elsewhere in the city. In time, Bagong Silang grew more peaceful while not necessarily being perceived in less stigmatising ways as a violent and drug-infested place. As we show below, this created fertile ground for Duterte’s war on drugs. Policing was eventually slightly demilitarised and much order-giving was delegated to the hands of the so-called Barangay Justice System, which was established within the jurisdiction of the *barangay* government (the lowest tier of governance in the Philippines). In this system, the chairman nominates so-called *purok* (area) leaders who then choose a number of *tanods* (guards). *Purok* leaders and *tanods* are responsible for the local peace. Only when they cannot resolve conflicts locally through mediation or if the transgression carries fines above PHP 5,000 or more than one year in prison will the case be referred to the Philippine National Police (PNP). In 2010 the PNP had only 70 officers in Bagong Silang – a number that has increased to approximately 100 since the war on drugs began, compared to more than 1,000 *purok* leaders and *tanods*.

In a survey carried out in 2010, 65 per cent of respondents characterised police performance as “normal” (Jensen, Hapal, and Modvig 2013). Given the rather notorious reputation of the police in Bagong Silang, this response appeared contradictory. In the vernacular of everyday life, the police are referred to as *buwaya* (crocodiles) or *linta* (leeches), both concepts that point to the extortionist inclinations of the police. The police’s capacity to extort money is based on their ability to threaten and ultimately use violence, including unlawful arrest. However, a more complex picture emerged once we began to explore the numbers in more detail. In follow-up interviews, we asked what respondents had meant by “normal.” The majority replied in Tagalog “*ok lang*,” which translates into “just OK,” which suggests that the police’s performance was “as expected.” “*Ok lang*” meant that the behaviour of the police was as antic-

4 Almost all quotes from interviewees in this paper were originally in Tagalog; all translations into English were done by the authors.

ipated and, through *diskarte* (the ability to survive through cunning and wits), connections, money, or a combination of the three, it may be managed. Let us provide some more ethnographic flesh to this argument by looking at the case of Emiliyo's son Karl.

Emiliyo's son Karl had been arrested by the police one night in 2010, as he and friends of his had been drinking in the street and, as the night progressed, fights broke out. A woman whose son was involved in the fighting had called the police to get them to stop the fighting. However, the police came and arrested them all rather harshly, including her son, and brought them to the police station. Karl had asked the police, who were in civilian clothes, to show their police ID to identify themselves. The police took offence, thinking him *maangas* (arrogant) and grabbed him violently. Panic spread among the families of those arrested. At the beginning, Emiliyo did not know where Karl and his friend (plus two others) had been taken, so he had contacted the local *purok* leader, who was his relative, to ask if he could help find Karl. The *purok* leader and his *tanods* went first to a substation but found it empty because all the police had gone to the hospital in relation to a police shooting! Karl was finally located in the central police station. Emiliyo, who was quite worried, then sent one of his relatives, Inday, to stay near the police station in case something should happen to Karl.

Emiliyo called Inday because he knew that she was *matapang* (courageous) and that she had relatives working within the police. The police told Inday that one policeman had lost a phone while breaking up the fight that night and that Emiliyo's family would need to pay PHP 7,000 for it. The phone was supposedly worth PHP 14,000 but because it was used the police demanded only PHP 7,000. At this point in relating the tale to us, Inday uttered the word "extortion." The police told her if the family did not pay, they would inquest them. "What are the charges?", she asked. The police said it was a case of public scandal and assaulting a police officer. Inday said, "We are not paying. Go ahead and inquest them!" She called her cousin, a senior police officer. She told the cousin that a godchild of hers had been arrested and what the circumstances were. Her cousin promised that he would call the station and instructed her to wait. In the meantime, Inday and Karl's brother went to the *barangay* office to report the case. "This was done to protect Karl," she said, indicating that the more reports there were on the whereabouts of Karl, the safer he would be.

Back at the station, Inday's police officer cousin called the station. She could hear her cousin (a superior) telling something to the officer in the station. After the phone call, the officer told his colleague that they

must release the boys, but the colleague was contesting the release. He was one of those who felt that Karl had been *maangas* when he asked the police to identify themselves: “He should know that we are police when the van was outside and we introduced ourselves as police.” Inday quietly said, “But isn’t it the right of people to ask for the ID, especially when the police are in civilian clothes?!” The officer continued, “But there are also the costs. Who will pay for the bullets we used when firing warning shots [they had shot into the ground]? Who will pay for petrol?” Inday then asked, “So, if we cannot pay, you will not release them?” “Not exactly,” he answered. Then Inday said, “OK, thank you,” and left. Outside the police station, she called her police officer cousin again and explained the situation. He promised to take care of it.

Karl’s brother remained at the police station. Also there were the mothers of the two other young men, including the woman who had called the police in the first place. One of the mothers was already known to the police as the wife of an Overseas Filipino Worker (OFW) and, therefore, as someone with money. The police had had earlier encounters with her son, who was apparently a drug addict. Inside the cell, one of the police officers told Karl that the reason why it was taking such a long time for them to be released was because the police were waiting for the payment from this particular woman. Negotiations went ahead. In the end, the mother who called the police paid PHP 2,000 for the release, whereas the mother of a third young man paid PHP 500. Afterwards, the mother who paid PHP 500 told Inday, “I just wanted it to be over so [my son] would get out of the cells and be safe. That’s why I paid.” After this, the four young men involved were released.

The case illustrates both that corruption is systemic and the extent to which some officers are complicit in the system. It is routinised to the point that release almost has a price tag attached to it. The term for this kind of police behaviour is *bulidap*. *Hulidap* combines the verbs *buli* (arrest) and hold up. It designates the practice of police holding up people through the threat of arrest. More importantly, however, it illustrates what people meant when they said “*ok lang*” – that is, people can manage the extortive tendencies of the police by employing intimate relationships, money or other resources, and/or a combination of *diskarte* and luck. This is what allows some people to negotiate successfully with the police. However, it is these same relationships that the police prey on or capitalise on in their practices of extortion. While the police seclude people and threaten them with prison and violence, channels of communication must be open in order for those on the inside to activate their networks and relationships on the outside. The task of the police is to

manage these connections, of which some can be beneficial for the police and others can be problematic.

While *bulidap* is potentially viewed as “*ok lang*,” or to some extent manageable, this practice inherently relies on violence to extract money. However, the relative manageability of practices like *bulidap* vanishes when the police use violence considered as excessive. These excessive forms of violence relate to “salvaging,” a term meaning extrajudicial police killings. In Bagong Silang, the image of extreme forms of police violence persists in the minds of people (Jensen, Hapal, and Modvig 2013). This perception has been enforced and reproduced by the violent policing and extrajudicial killings that occurred before the drug war. Hence, we might distinguish heuristically between two forms of state violence – the “*ok lang*” and the excessively violent. As an example of the excessive side of policing, take the following example, pieced together through interviews, police and media reports, and documentation by human rights observers.

At around 8 p.m. one night, José, Jay, and Renato went to a man who owed José money. José brought a gun and asked Jay and Renato to be his “backup.” While walking to the man’s house, the three young men encountered a police officer. The police searched them and discovered José’s gun. Jay and Renato ran, while José was detained by the police officer, who called him a *boldaper* (robber) out loud. Consequently, on the way to the police station, people on the street attacked José.⁵ When he arrived at the police station, he was allegedly beaten up repeatedly. The police presented him with a paper with names on it and asked where those people were staying. The next morning, José, weak from the beatings, was taken to the main police station where a case was filed against him. While inside the jail, he considered filing a torture case against the police who maltreated him. However, as he feared reprisals against his family, he could not make up his mind. José’s two companions were later found dead. A news article that took notice of the incident referred to the murder of the two a drug deal gone wrong. However, suspicions lingered that they had died at the hands of the police.

5 This contradicts the conclusions from the victimisation survey we conducted in 2010 (Jensen, Hapal, and Modvig 2013), where people indicated that it was not OK for the police to beat up suspects. We tend to think that respondents in the survey probably thought it was the right thing to oppose police violence rather than speak their minds regarding the victimisation of robbers. Hence, one woman noted in conversation, “It’s OK they are beaten up. They are bad people.”

The case of José is revealing in several ways. First, the fact that José was involved in criminal activity made him victimisable in the eyes of both the police and the public. While this clearly does not exonerate the state officials or legitimise their actions, José's actions made him an easy target. Another factor exacerbated José's fate: law enforcement agents are generally not allowed to arrest people under the age of 18, as José was, but have to release them into the care of parents and social workers.⁶ This sense of impotence felt by officers of the law arguably entices them to engage in extralegal activities that are legitimised in the name of protecting law-abiding citizens from people like José.⁷ José's case was hardly an isolated incident. One law enforcement officer confirmed the practice of violently and extrajudicially dealing with young people. In an interview in 2010 the officer said, "I won't lie about it. We do kill people. I myself have killed a lot of people in Bagong Silang." According to him, these practices are known and sanctioned by their superiors: "Let's just put it this way. Every action that we take, our superior knows about it."

While these statements are truly worrying, we need to be careful not to take them at face value. The officer seems to be casting the police and himself as powerful and vengeful agents, organised in strict hierarchies of death. In this way, the narrative resembles the image of a strong, effective but gruesome military organisation. The statements are therefore arguably part of a narrative structure of strength and nocturnal secrets. While killings and torture also happened before the war on drugs, they were not always carried out in the ordered, disciplined, and effective manner in which the law enforcement agent narrates them. But why do law enforcement officials need to carry out these acts of violence and render them intelligible through the narrative of the effective but gruesome policing structure? Another law enforcement officer explained this in 2010 by evoking a sacred and epic fight between good and evil that has been actualised during the war on drugs:

The people we put down are not people anymore. They are demons that need to be removed from the face of the earth. We the police are like angels that battle those demons. We know what is right and we know that what those criminals do is not right. I am

6 This is due to a Republic Act (RA 9344) also called the Juvenile Justice Act of 2006 that stipulates that minors under the age of 18 cannot be detained in jail but must be put into youth shelters. However, as those shelters are often full, the youngsters are often simply released.

7 This echoes police complaints about human rights across the world. They use almost identical words to describe their opposition to human rights. For South Africa, see Marks 2005 and Hornberger 2011.

not afraid to die today. If I die today, I have the courage to justify to my God that I have done the right thing. I will even wish to be put on the front lines of his army to battle those demons. If He wishes that I be in hell, I have no problem with that. I have no regrets about the things that I did.

From this perspective, society is composed of “good” people and demons (*demonyo*). The role of the police is, predictably, like avenging angels, to eliminate the demons to protect society – in other words, to keep the integrity of the “thin blue line.” While some might be dismissive of the police’s justification of the use of (excessive) violence and the accompanying assertion that it is meted out in a predictable, effective, and almost scientific way, we believe that it is reflective of a rather complicated and difficult policing situation. The police’s narrative is one that stresses that justice will prevail, through the nocturnal death of the criminals, by the hands of secret and strong forces of order. Yet, before the war on drugs it was not uncommon for law enforcement agents in Bagong Silang to despondently talk about their difficulties with “criminals” seeming to disappear in the maze of houses and life. What accounts for the discrepancy between the narrative of the strong, nocturnal force and the sense of impotence? Given the police’s institutional capacities and resources, law enforcement in Bagong Silang is at best challenging and at worst compromised. It is in this light that protecting order from chaos would seem stretched and porous.⁸ The epic battle against evil therefore signifies a rationalisation of violence in the light of a sense of impotence. Nonetheless, the image of the vengeful angel continues to animate policing. It is in this way that we must understand the term “salvaging” or extrajudicial killing – the hard and dirty job of saving the nation. This narrative, as we shall see later, provided a fertile ground for Duterte’s war on drugs five years later.

Violent Exchange

While some policing practices are “*ok lang*” and others are “excessive,” this does not mean that the two are unrelated. On the contrary, they exist in and through each other. Through the epic narrative of vengeful angels, the practices of the crocodile are rendered at least partially invisible and its actions legitimatised. In the case above, Emiliyo was very

8 The idea of the thin blue line is shared in many policing organisations across the world, as is the notion that violence is necessary to carry out what they see as their duty (Hornberger 2011; Steinberg 2008; Jensen 2008).

aware of the connection between salvaging and the troubles in which Karl found himself. In this way, violence – its history as salvaging and the concrete experiences of people – is central for the practices of the crocodile. The crocodile is successful only because of the fear of salvaging. Violence is the lubricant that allows the corrupt practices of the crocodile to continue.

While invoking the concept of corruption is surely one way of approaching the relations between the police and the policed, the interaction is more complex than that. Let us revisit some of the central elements of Karl's ordeals. First, the identities of the police and the policed are inherently blurred and complex; second, much more than money is being exchanged. The blurred and complex relationship is illustrated by the presence of Inday's cousin, a senior police officer in Bagong Silang. Inday is indeed fortunate to have such relations, but such relations are not unique. Emiliyo also uses his connections to the local *purok* leader and his associates (the *tanods*); others would employ whatever relations they can muster. Hence, while Inday found it deplorable that the police acted as they did, she also cherishes her relations with officialdom and wants them to function when she needs them. Emiliyo is also fully aware of the value of such relations and even tried to enter into a debt relation with the police officer. Hence, the *buwaya* is used to describe the negative side of a relational economy; as Olivier de Sardan notes in relation to the moral economy of corruption (de Sardan 1999), this relational economy is also highly cherished and people will go far to protect their relations.

The case also hints at a more benevolent relationship between officers and residents. As we describe elsewhere (Hapal and Jensen 2017), police officers understand their admittedly corrupt relationship with residents in terms of help – *tulong* or *ayuda* in Tagalog. While we can see this aspect when one officer assures the brother of Karl that they will still be released, it is more explicit in other cases. In one interview, one police officer admits that she received a bit of money to settle a case between a husband and a wife, suggesting that she helped the wife by setting the husband straight while keeping him out of prison so that he could provide for the family. Hence, the overburdened justice system provides an important reason for people wanting to engage in the relational economy. Drawing on Janet Roitman's (2004) insights, we might say that it is exactly the non-functioning justice system that sets in motion and structures the relational economy.

To conclude this section, in all these cases, the relational economy between the police and the policed is highly complex and defies neat binary distinctions. These incidents suggest the simultaneity and coexist-

ence of the angel and the crocodile in the minds of people, who want the police to apprehend criminals, protect the innocent, and keep law and order (the angel) while at the same time being open to the relational economy of connections (the positive side of the crocodile). It was against the backdrop of this relational economy that Duterte's drug war hit Bagong Silang.

Violent Exchange and the War on Drugs

In the previous sections, we showed that the Philippine police are no strangers to killing their own citizens as part of what is termed salvaging – a term that goes back to the period of martial law between 1972 and 1986 and the counter-insurgency wars against Maoist, Moro, and Islamic uprisings into the 1990s and first decade of the 2000s (McCoy 2009; Altez and Caday 2017). As part of an emic cosmology, police officers constructed a binary world of angels and demons as part of a moral legitimisation of extreme forms of violence that people were rather ambivalent about: while civilians identified salvaging as the worst danger, they also condoned and even participated in violence – for instance, against José. When the police officer, evoking the notions of demons and angles, insisted that he would want to fight crime regardless of the price he has to pay, he speaks of the danger of prosecution that he would face should he be caught in the act. This threat, however, was exactly what Duterte's war on drugs did away with, at least unofficially.

The war on drugs was organised as what is called the “Double Barrel” campaign, consisting of two different operations: Oplan Tokhang, literally “Operation Knock and Plead,” entails police and local authorities going around to identified houses of what are referred to as known addicts and dealers, registering them, pleading for them to turn themselves in, and warning them of the dangers they are facing should they not heed. The second element of Double Barrel is Project HVT (High-Value Targets), which targets drug lords, drug protectors, and drug financiers in order to reach the higher echelons of the drug syndicates (Lamchek 2017). Often it seems that it has been difficult to separate the two strategies. In discourse, however, the administration and the police have denied that they kill people extrajudicially and insisted that most of the killings have been drug-on-drug killings, cases of police acting in self-defence, or murders by still unknown perpetrators. While this cannot be

completely disregarded, in spite of mounting evidence to the contrary,⁹ the perception among our informants in Bagong Silang is that the killings are associated with Tokhang. By being seen to have unleashed the police and promising to protect individual officers, Duterte seems to have legitimised, from the highest level of government, the extrajudicial killing of people like José. We might say that the angel was given licence to be an avenging angel.

However, as before the war, the police oscillated between the angel and the crocodile, where the former enabled and partly “invisibilised” the latter. While the crocodile thrived exactly on the potentiality of angelic violence, the corrupt practices were never out of view for the policed. They knew and sometimes tapped into the relational economy of the violent exchange to an extent where it was “*ok lang*,” manageable! The question, then, is what happened to this relational economy of violence with the declaration of the war on drugs? One answer is that it did not disappear – almost the opposite occurred, as Sheila Coronel (2017) illustrates in her insightful and well-documented essay “Murder as Enterprise.” Coronel tells the story of South Korean businessman Jee Ick Joo, who was kidnapped by police officers only a few months into the war on drugs, brought to the National Police Headquarters, and strangled to death. Police officers proceeded to extort money from his wife, who paid PHP 5 million for his safe release, not knowing he was already dead. Only one month later, after several payments, was it revealed that Jee had died; his remains had been flushed down the toilet just doors down from the office of the national police chief. This practice – the ultimate cashing in on the mandate to use violence – came to be known as “Tokhang for ransom.” This represents a much more sinister incarnation of the *bunwaya* – one that steals and robs but with whom you cannot talk or negotiate.

The death of Jee forced the administration to suspend the war on drugs for one month in January and February 2017 until the police were

9 See reports by Human Rights Watch (2017) and by the UN Special Rapporteur for Extrajudicial Executions, Agnes Calamard. While our own analysis from Bagong Silang backs up the reports, the government might be correct in suggesting that the UN and international organisations have been single-minded in identifying the police as the ultimate perpetrators. Our material suggests that there is great uncertainty about perpetrators. Hence, it cannot be ruled out that other violent networks are involved, taking advantage of the war on drugs to settle other scores.

“cleansed” of corrupt elements.¹⁰ The Jee fiasco led President Duterte to accuse the police force of being “corrupt to the core” and even to claim that at least 40 per cent of the police force was engaged in illegal activities.¹¹ Despite drawing flak from the president, there have been persistent reports of continued corrupt practices. One rather blatant example was the discovery of secret detention centres, where suspects would be held until their families paid up.¹² What this suggests is that while there have been attempts to root out corruption, they have not worked. In fact, it seems that the more the angel is allowed to be an angel, the better the conditions are for the crocodile. In the remainder of this paper, we will present empirical material from Bagong Silang that allows for tentative conclusions to be drawn on the relationship between violence and money in the war on drugs. We begin by exploring how one makes money on the war on drugs. A good place to start is the notorious area known as Phase 12.

Making Money on the War on Drugs

The drug trade and the production of *shabu* (methamphetamine) in Bagong Silang have always been closely connected to the area called Phase 12, about one kilometre from the eastern border of Bagong Silang and part of another *barangay*. During fieldwork between 2009 and before the onset of the war on drugs, we never succeeded in going there. People would flatly refuse to accompany us or connect us with anyone in the area, as it was deemed to be very dangerous. Apart from the relations to the drug trade, the area was also feared because the majority of its inhabitants were Muslims from Mindanao, a population that, for most people in the Christian Philippines, not least in Manila, was seen as the incarnation of danger and violence.¹³ However, after the war on drugs had

10 See <www.manilatimes.net/pnp-stops-tokhang-starts-cleanup/309811/> and <www.upi.com/Top_News/World-News/2017/02/28/Duterte-resumes-polices-war-on-drugs-in-Philippines/5181488297974/>.

11 See <<http://news.abs-cbn.com/focus/01/30/17/you-are-corrupt-to-the-core-duterte-tells-cops>>.

12 See <<http://newsinfo.inquirer.net/895871/chr-asks-ombudsman-to-probe-ton-do-secret-detention-cell>>.

13 This has a very long history, going back to the Spanish period (Abinales 2000). Muslim–Christian relations are deeply fraught in the Philippines, and Bagong Silang is no exception. In Bagong Silang, Muslims have been associated with the drug trade and informal street trading. Street trading has also been seriously curbed in recent years. Whereas Muslims used to dominate the trade, they are all but gone now. In this way, two of the main economic activities undertaken

commenced, people said it was no longer so dangerous and we could go. Some residents of Phase 12 said that “those big-timers” had left their houses and gone back to Mindanao. When we finally went, the adventure – none of us had been before – was facilitated by Bondo. A few months into the war, he had been asked by a resident in Phase 12, a Muslim drug dealer, to take care of his house while he and his family went to Mindanao, probably in fear of their lives. Asked when they would return, Bondo laughed and said “after six years,” indicating the end of Duterte’s term. However, he was not sure they would ever return.

Bondo knew the drug dealer because he had been coming regularly to Phase 12 to collect garbage for reselling. Bondo and his family were dirt-poor, staying in what are known as excess lots near the creek. As it is a particularly unhealthy environment, they had jumped at the chance of actually inhabiting a house with a television and sanitation. Bondo explained that this was far from the only house where this had happened: it has occurred at “many houses,” he said. His benefactor had approached him one day as he was coming through with his cart, saying that he would like Bondo to stay in his house while he was gone, just out of *pakikisama*, a Tagalog term that has deep roots in Philippine culture. One mid-twentieth-century anthropologist translated it as “smooth interpersonal relationships” (Lynch 1963). Elsewhere, we have described it as characteristic of reciprocity or mutual obligations between people of relatively equal status (Jensen and Hapal 2014). However, it is something of a rarity between rich and poor, where *utang na loob* (lit. “inner debt”), constituting vertical debt relations, is much more common.

Bondo indicated other houses abandoned by the owners. He said that the police went to these houses and emptied them out, allegedly bringing the contents of the houses to the police station. Bondo pointed to a big house and said, “They come at night. You could see the lights there and cars outside and then they would be gone along with all the things in the house.” When asked if anybody said anything about it, Bondo shrugged, “What can you say? It’s the police.”

We asked if there had been any killings in Phase 12. “No,” said Bondo, “but, there have been arrests (*buli*).” He explained,

Some of them pay *piyansa* [bail] and they come back. Others have not paid so they are there now in the jail [...]. The [amount of] *pi-*

by Muslims have been blocked. According to informants, police had told people in Phase 12 that they must leave or else they would turn Phase 12 into a cemetery – that is, they would go around killing Muslims.

yansa differs. It is higher for Muslims, maybe 50,000 pesos. For Christians it is lower.

Piyansa is, of course, a formal practice within the justice system. However, it is not uncommon for its formality to be circumvented by corrupt practices at the precinct level. We tried to assess whether the arrests were part of the formal system. Bondo and the others present laughed,

No, there are no judges there. The people stay in jail for three weeks, and if they can pay, they pay the police officers there. Nobody knows about it. After three weeks they have to go to the real prison [the official criminal justice system].

Going to jail and being booked in the formal system is no laughing matter, as one might never get out – both because of the threats of the war on drugs and because the criminal justice system is absolutely overburdened and, for all intents and purposes, has collapsed (Hapal and Jensen 2017).

In Bondo's narrative, there are several issues at stake that are important to our understanding of how the war on drugs is capitalised upon. First, the war on drugs not only impacts the relationship between the police and people in poor neighbourhoods, but potentially transforms other social relations as well. Bondo got really lucky and the life of his family may have transformed for good. He had something to exchange – his ability to stay put – which he translated into livelihood. Bondo is far from the only lucky one. At the onset of the drug war, Jay, a tricycle driver from Bagong Silang, had seen better days. He had been the personal bodyguard of a *barangay* chairman, who was later killed. He had also been a security guard at a local hospital, a job he lost in 2012, and a member of the Special Community Action Network (SCAN), the private security organisation of the Iglesia ni Cristo (Church of Christ, INC).¹⁴ The four-year lull ended with the initiation of the war on drugs.

14 The INC has rightly been called a state within the state. It has its own schools and housing areas, and the church is known to command millions of votes to the effect that it often determines elections. Hence, endorsement can mean the difference between being elected and not being elected. Furthermore, as Jay indicates, the church also has its own security organisation, SCAN. SCAN has a reputation of violence beyond its mandate of maintaining order around INC functions. Allegedly, SCAN is often called in to intervene, violently, in INC members' conflicts with neighbours. It is also rumoured to be composed of hired guns and goons of those willing to pay. According to several informants in Bagong Silang, SCAN was also rumoured to be involved in vigilante killings as part of the war on drugs. As such, the very name struck fear into people's hearts to an extent where all conversations about the practices of SCAN were

Through connections he had with local political networks, Jay was nominated as a local *tanod* and then became part of what is called the Community Investigative Services (CIS). The CIS was established as a national programme of surveillance in relation to the war on drugs, under the command of a retired army general.

Jay showed us with pride his badge and his ID with a photo of himself and the general. In Jay's account, this was all very secret, a system outside the other surveillance system organised around the *barangay*, *purok* leaders, and *tanods* (guards). He was also to be remunerated relatively handsomely for his efforts. Asked why he joined, he said, "For the connections, of course!" He further explained, "It's a good connection to have." Jay's case illustrates that resources cannot be reduced to a question of money only. Like Bondo's case, social relations – both vertical and hierarchical – are absolutely central to survival and to improving one's life. The war on drugs has radically reconfigured the possibilities of connectivity. While much focus has been on the negative relations to the state and the toll on human life, it is necessary to recognise that people like Bondo and Jay have benefitted quite literally from the war.

Furthermore, Jay talked at length about more direct benefits, saying that members of the CIS were paid money for all good information about drug addicts and pushers. All over Bagong Silang, stories of payments to the police and the CIS for killings abounded. Amounts as high (or as low, depending on one's point of view) as PHP 10,000 were frequently cited – Jay said those in the CIS were promised PHP 7,000 – and fed into popular narratives explaining the motives behind police killings. In "Murder as Enterprise," Sheila Coronel explores these rumours and finds them credible. Needless to say, if true this would provide a very strong motive for engaging in the killings and, just as important, it would provide residents in Bagong Silang with an explanatory model for understanding the killings – although not one that is likely to improve the relationship between themselves and the police. In this way, Phase 12 and the other cases presented here illustrate that the war on drugs is not only about killing but also about getting paid! While the case of Phase 12 suggests a certain spatial ordering, both Bondo's and Jay's cases suggest that monetary exchange constitutes social relations that people manage or move into – or out of.

carried out in hushed tones. In this way, SCAN and the INC took centre stage in some rather uncompromising narratives and conspiracy theories.

Revisiting Reconfigured Relationships and Violence in the War on Drugs

It is clear from the analysis above that money can be made from the war on drugs in direct ways as well as in terms of reconfigured relationships. In this final section, we will explore in more detailed ways the quality and significance of these reconfigured relationships. As the story of the *pi-yansa* suggests, we can identify something akin to a parallel system mirroring the formal criminal justice system where one gets out on bail. If we think along this heuristic idea of a parallel system, we might say that the emptying of houses represents civil forfeiture. As we show above in this article and elsewhere (Hapal and Jensen 2017), in the parallel system one can also pay fees for licences or fines for smaller transgressions, or to have the police discipline one's children or, indeed, carry out a murder. Except for the latter, these practices are couched in an ambivalent language of assistance (*tulong*) and violence. Money, violence, and exchange are central to this system. Police practices constantly oscillate between those of the avenging angels of Duterte's war on drugs and those of the crocodile with whom one can negotiate.

How do we think more theoretically about this? As mentioned earlier, the war on drugs lends itself to analyses of a state of exception and the production of bare life. However, such analyses fail to account for all the negotiations and exchange relations that go on. Hence, we find it useful to think through our material in more economic, relational terms. Here, Janet Roitman (2004) might offer some insights. She suggests that we must understand the relationships that are produced by state regulation – of, in our case, criminal justice, prisons, anti-corruption, and the war on drugs – rather than state regulation as such. This might seem like a small detail. However, it moves our focus away from the policies – whether informal or formal – to focusing on what happens when they hit the ground and become part of residents' and police's attempts to survive or thrive based on relationships. It is these relationships that are central to how people engage with the system. If that is the case, it is important to understand what relationships are produced by, say, prison conditions – for instance, the need to get out of or, more importantly, stay out of prison. These relationships and the negotiations they lead to were incredibly complex even before the war. However, as captured in the notion of “*ok lang*,” there was a certain predictability to them – not always leading to good results but at least with a promise of resolution. The war on drugs has, we argue, radically reconfigured the parameters of

these relationships and how residents may negotiate them through money, relationships, and *diskarte*.

The first element in these reconfigured relationships is that the price of survival seems to have gone up significantly. If we compare the amounts that we registered before the beginning of the war on drugs, they are significantly lower than the amounts we and others (Coronel 2017; Lamchek 2017) have collected since the onset of the war. This information is, of course, very difficult to establish with any certainty, not least because narratives, rumours, and forms of gossip per definition are unreliable sources. With this caveat in mind, the data from Bagong Silang and Phase 12 indicate that those related to the drug economy have had to pay substantial amounts of money to avoid violence being perpetrated against them. It is also clear that many people decided to run rather than pay the price of survival. This was especially true for Muslim residents in Phase 12, suggesting that the war on drugs is not only about drugs but also part of larger political struggles.¹⁵ It suggests that while money is important, we cannot reduce the war on drugs and policing practices to money alone. Rather, the relationships and exchange relations are animated by political categories as well.

While we cannot be sure whether Muslims fled because it was certain they would either be killed or have to pay exorbitant amounts to avoid violence or death, it is fair to assume that this was a question they asked themselves, if we compare the Philippines with other contexts of violence where wars on crime and drugs have been fought. Studies in South Africa and Bolivia¹⁶ suggest that the unpredictability of violence is in fact constitutive for social relations. The studies illustrate how violence is particularly problematic when people are not certain from where and by whose hand it will come. Exploring the civil wars in Northern Ireland and Guinea Bissau, Henrik Vigh (2009) usefully suggests that during conflict the social terrain is fundamentally shifting, unstable, and illegible. Hence, people invest great efforts in rendering violence predict-

15 The fieldwork took place during the siege of the city of Marawi, stronghold of the Maute brothers, who had affiliated themselves to the so-called Islamic State (see <<http://newsinfo.inquirer.net/899789/afp-44-combatants-killed-in-mara-wi-clashes>>). This produced yet more hostile narratives about Muslims amongst most of our informants in Bagong Silang.

16 Elsewhere, we have explored how the war on drugs and gangs in Cape Town produced constant attempts to “read” the social terrain (Jensen 1999). Helene Risør (2010), working in Bolivia, shows how people are constantly looking for clues to be able to protect themselves from criminal activity. White cars on the road or stones in particular patterns might be indications of criminal intent that people try to assess to stay safe.

able and knowable. While some human rights organisations exert much effort to pin all deaths on the police via a chain of command (e.g. Human Rights Watch 2017), realities are often much more complicated. In one case, where seven were killed in a shoot-out, we recorded three different potential perpetrators – the police, competing Muslim drug dealers, and the Iglesia ni Cristo acting as a vigilante group. With each of these perpetrators or violent social networks, to paraphrase Arias (2006), different chains of events emerge and with them different dangers. Hence, as the event had not been stabilised, violence remained unpredictable (Jensen 1999). The lack of certainty and the plurality of perpetrators remain some of the important sources of the unstable terrain. This is compounded by the presence of competing police units and the constant shuffling of police officers.

Duterte has made it policy to shift around police officers to root out corruption. Hence, most police officers in Bagong Silang have been shifted to and from other places. In the time between the onset of the war in June 2016 and May 2017, four different station commanders had been assigned to Bagong Silang. Mindanao seems to play a particular role in this. We mentioned above how corrupt police officers are sent to Mindanao for “re-education” and punishment. Obviously and logically, there is a reverse movement from Mindanao to Bagong Silang. This has two possible implications for the war on drugs – one in terms of policing strategy and one in relation to relationships between police and residents.

According to a *barangay* employee and long-term friend of one of the authors, the station commander made a speech at the SOBA (State of the Barangay Address) in April 2017 where he complained about the lack of collaboration from the *barangay*. According to the informant, he said, “If you do not want to collaborate with me, I am more than willing to bring the hell from Mindanao to Bagong Silang.” This opens up the possibility of counter-insurgency tactics being employed by the police rather than the usual local policing strategies. While this uncertainty is palpable, perhaps what matters for our present analysis is that residents will be hard-pressed to know what kind of policing will prevail in their next encounter with the police. Will the police be the avenging angels saving the nation or will they be approachable crocodiles?

The sheer number of replacements and the circulation of officers compound this question. Dealing with the police in the past in a manner that was “*ok lang*” has been premised on money, connections, and *diskarte*. This also entails knowing someone on the police force who might know the police officers in question. However, the circulation of officers renders these relations potentially more difficult and less simple

to access. In this way, unpredictability increases because relations are more tenuous and need to be stabilised repeatedly. This does not mean that establishing relations cannot happen. When asked about this, one key interlocutor suggested, “But you know, they maybe be strangers one day, but it will not take them long to establish contacts again – maybe only two days [laughing]!” The humour aside, our friend’s comment indicates that while the circulation does create the intended alienation of police officers from their communities (producing de facto barrack-style policing), there is a willingness on the part of both police officers and residents to establish these contacts. They are imperative for the survival of residents as well as the thriving of officers.

While this willingness to (re)create relations arguably exists on both sides, the sheer number of circulated officers, the different potential perpetrators, and the different strategies and objectives of police officers all contribute to heightening the unpredictability and illegibility of the encounters. Together with the increasing amounts of money necessary for survival, residents are right to ask with trepidation, “Who and what will I meet next time? What will it cost, and will I even be allowed to pay?!” In this way, the point is not that the war on drugs has introduced new tactics necessary for surviving a violent and corrupt turn in policing. The point is that strategies employed by residents of Bagong Silang to cope with violent and corrupt policing – money, relations, and *diskarte* – have been undermined to the extent that people are right to doubt their effectiveness.

References

- Abinales, Patricio (2000), *Making Mindanao: Cotabato and Davao in the Formation of the Philippine Nation-state*, Manila: Ateneo Press.
- Agamben, G. (1998), *Homo sacer: Sovereign Power and Bare Life*, Stanford: Stanford University Press.
- Altez, J., and K. Caday (2017), The Mindanaoan President, in: N. Curato (ed.), *A Duterte Reader: Critical Essays on Rodrigo Duterte’s Early Presidency*, Ithaca: Cornell University Press, 111–126.
- Arias, E. D. (2006), The Dynamics of Criminal Governance: Networks and Social Order in Rio de Janeiro, in: *Journal of Latin American Studies*, 38, 2, 293–325.
- Bourdieu, P. (1977), *Outline of a Theory of Practice*, Cambridge: Cambridge University Press.
- Coronel, Sheila (2017), Murder as Enterprise: Police Profiteering in Duterte’s War on Drugs, in: N. Curato (ed.), *A Duterte Reader: Criti-*

- cal Essays on Rodrigo Duterte's Early Presidency*, Ithaca: Cornell University Press, 167–198.
- Curato, Nicola (ed.) (2017), *A Duterte Reader: Critical Essays on Rodrigo Duterte's Early Presidency*, Ithaca: Cornell University Press.
- De Sardan, J. O. (1999), A Moral Economy of Corruption in Africa?, in: *The Journal of Modern African Studies*, 37, 1, 25–52.
- Graeber, D. (2011), *Debt: The First Five Thousand Years*, New York: Melville House.
- Hapal, K., and S. B. Jensen (2017), The Morality of Corruption: A View from the Police in Philippines, in: S. B. Jensen and M. Andersen (eds), *Corruption and Torture: Violent Exchange and the Everyday Policing of the Poor*, Aalborg: Aalborg University, 39–68.
- Hornberger, J. (2011), *Policing and Human Rights: The Meaning of Violence and Justice in the Everyday Policing of Johannesburg*, London: Routledge.
- Human Rights Watch (2017), “License to Kill”: *Philippine Police Killings in Duterte's “War on Drugs”*, Human Rights Watch.
- Jensen, S. (2015), Between Illegality and Recognition: Exploring Sacrificial Violence in a Manila Brotherhood, in: *Critique of Anthropology*, 35, 1, 64–77.
- Jensen, S. (1999), Discourses of Violence: Coping with Violence on the Cape Flats, in: *Social Dynamics*, 25, 2, 75–97.
- Jensen, S., K. Hapal, and J. Modvig (2013), *Violence in Bagong Silang, DIGNITY*, International Series on Torture and Organized Violence, 2.
- Jensen, S., M. K. Andersen, K. Ø. Larsen, and L. V. Hansen (2017), Introduction: Towards Violent Exchange, in: *Corruption and Torture*, Aalborg Universitetsforlag, 5–38.
- Lamchek, Jason (2017), A Mandate for Mass Killings? Public Support for Duterte's War on Drugs, in: N. Curato (ed.), *A Duterte Reader: Critical Essays on Rodrigo Duterte's Early Presidency*, Ithaca: Cornell University Press, 199–218.
- Marks, M. (2005), *Transforming the Robocops Changing Police in South Africa*, University of KwaZulu-Natal Press.
- Mauss, M. (1966), *The Gift: Forms and Functions of Exchange in Archaic Societies*, London: Cohen & West Ltd.
- McCoy, A. W. (2009), *Policing America's Empire: The United States, the Philippines, and the Rise of the Surveillance State*, University of Wisconsin Press.
- Quimpo, Nathan (2017) Duterte's War on Drugs, in: N. Curato (ed.), *A Duterte Reader: Critical Essays on Rodrigo Duterte's Early Presidency*, Ithaca: Cornell University Press, 145–166.

- Reyes, Danilo Andres (2016), The Spectacle of Violence in Duterte's 'War on Drugs', in: *Journal of Current Southeast Asian Affairs*, 35, 3, 111–137, online: <<https://journals.sub.uni-hamburg.de/giga/jsaa/article/view/1012/1023>> (12 June 2018).
- Risør, H. (2010), Twenty Hanging Dolls and a Lynching: Defacing Dangerousness and Enacting Citizenship in El Alto, Bolivia, in: *Public Culture*, 22, 3, 465–485.
- Roitman, Janet (2006), The Ethics of Illegality in the Chad Basin, in: Jean Comaroff and John Comaroff (eds), *Law and Disorder in the Postcolony*, Chicago & London: The University of Chicago Press, 247–272.
- Steinberg, J. (2008), *Thin Blue: The Unwritten Rules of South African Policing*, Johannesburg: Jonathan Ball.
- Strathern, M. (1988), *The Gender of the Gift: Problems with Women and Problems with Society in Melanesia (Vol. 6)*, Berkeley: University of California Press.
- Tadiar, N. X. (2013), Life-times of Disposability within Global Neoliberalism, in: *Social Text*, 31, 2, 115, 19–48.
- Vigh, H. (2009), Motion Squared: A Second Look at the Concept of Social Navigation, in: *Anthropological Theory*, 9, 4, 419–438.
- Weiner, Annette B. (1992), *Inalienable Possessions, the Paradox of Keeping-While-Giving*, Berkeley: University of California Press.