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Author(s): Juego, Bonn

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Human Rights Against Populism: A Progressive Response to the Politics of Duterte and Mahathir

Article As the world celebrates the 70th anniversary of the Universal Declaration of Human Rights (UDHR) in 2018–2019, the region of Southeast Asia highlights two compelling political phenomena: the emergent ‘authoritarian populism’ of Rodrigo Duterte in the Philippines and the return to the ‘Asian Values’ of Mahathir Mohamad in Malaysia.

28. December 2018 by [Bonn Juego](#)



President Rodrigo Duterte and Prime Minister Mahathir Mohamad striking a pose together – Creator: King Rodriguez for the Presidential Communications Operations Office. Public Domain.

The recent successes of Duterte and Mahathir are notable products of the process of electoral democracy in their respective countries. Yet, these developments signify an inconvenient truth – that democratization can lead to either legitimizing or overcoming authoritarianism.

On the one hand, Duterte’s undemocratic politics gets popular legitimacy from the perceived majority of the population. On the other, Mahathir’s historic electoral victory is suggestive of his sustained mass popularity despite or because of his well-known political illiberalism and socio-cultural conservatism.

While democratization processes in the Philippines and Malaysia have shown different tendencies, their incumbent state leaders share a bad record on human rights. Most politicians would at least pay lip service to the UDHR in their governance principle. But Duterte and Mahathir are bold in their challenge on the foundational ideals of UDHR. Indeed, a distinctive characteristic of the politics of Duterte and Mahathir is their assault on both the *institutions* and *ideas* of human rights.

Duterte's Authoritarian Populism

Since the Duterte-led populist movement came to power on 30 June 2016, they have been actively engaged in a battle for political, social and ideological hegemony. In dealing with dissent, the Duterte regime complements the usual political harassment of critics with the creative use of legalism to discipline and punish opposition groups. This is often done in the name of 'rule of law', social stability, or national interest.

Yet central to Duterte's populist politics is the strategy for proactive mass mobilization. Its main objective is to create the regime's own critical mass that will critique and destruct the institutions, principles and personalities associated with liberal democracy and human rights.

The Duterte administration's 'war on drugs' is globally controversial, yet locally popular. Within two years as president, the drug war has cost, depending on different sources, between 4,000 and 22,000 lives due to vigilante killings and legitimate police operations. Duterte has consistently denied condoning these extrajudicial killings. But even if these killings are not state-sponsored or state-orchestrated, Duterte's government does not even make proclamations and public assertions that they are doing something to stop them.

Duterte's populist bandwagon is exacerbating the miseducation of a large section of the populace about human rights principles. Activists and defenders of human rights are being put on the defensive position, even at the sphere of rhetoric. The idea of human rights has been wrongly associated with the defense of criminals, rather than the protection of the weak, the vulnerable, and the victims against the capacity of state and non-state entities for abuse of power.

To arrest the gradual encroachment of Duterte's anti-human rights ideas in Filipinos' hearts and minds, the rudiments of this particular populist phenomenon must be fully grasped. The increasing public consent given to authoritarian measures is stimulated not simply by Duterte's propaganda and ideological manipulation. This is also a manifestation of the legitimate sentiments of an 'insecure' population drawn from their individual lived experiences and desires for social change. More crucially, this is a response to the shortcomings and hypocrisies of the liberal elites that were supposed to humanely and democratically govern the country towards social and economic progress in the last 30 years.^[1]



President Rodrigo Duterte – Creator: [Karl Norman Alonzo/Presidential Photo](#). Public Domain.

Mahathir's Asian Values

Mahathir returned to power on 10 May 2018 after serving as prime minister from 1981 to 2003. He made a surreal political comeback by assuming leadership of the opposition coalition composed of his old regime's enemies to defeat the 60-year rule of Barisan Nasional and its major party, the United Malays National Organisation.

Upon their election, the new government of Mahathir re-articulated their campaign platform for democracy, rule of law, anti-corruption, institutional reforms and several populist economic policies. Notably, in his speech at the UN General Assembly on 28 September 2018, Mahathir affirmed “that the new government of Malaysia has pledged to ratify all remaining core UN instruments related to the protection of human rights.” However, he noted that this “will not be easy ... because Malaysia is multi-ethnic, multireligious, multicultural and multilingual” – thus, the government “will accord space and time for all to deliberate and to decide freely based on democracy.”^[2]


While it is still too early to evaluate the performance of the new reform government, vigilance requires a recollection of the condemnable human rights legacy of Mahathir's 22-year premiership – from the enforcement of the draconian Internal Security Act and repression of critics, to the violation of judicial review and the implementation of discriminatory social and economic policies.

Mahathir is one of those original right-wing populists whose brand of political and economic nationalism is defined by ethnicity. He is a leading proponent of the so-called Asian Values, which, among other things, is a critique of Western notion of liberal democracy and an intellectual justification for benevolent authoritarian governance.

Mahathir is straightforward in voicing out his opinions, even to the extent of violating the norms on political correctness. But he is also a master of political doublespeak, especially on the idea of democracy. For instance, he implies that Malaysia's pluralism *per se* is a major obstacle

to – rather than the main rationale for – his government to ratify all UN human rights instruments, particularly the International Convention on the Elimination of All Forms of Racial Discrimination. Likewise, when he asserts ‘rule of law’, it must not be forgotten that many significant constitutional, criminal and security laws that are in force in Malaysia under his current administration are racially discriminatory, contra human rights, and repressive to opposition politics.[3]



Prime Minister Mahathir Mohamad – Creator: [Tasnim News Agency](#).  This image is licensed under [Creative Commons License](#).

Unpacking the Duterte-Mahathir Discourse on Human Rights

The 70th year of the UDHR also brings to mind the 25th anniversary of the Bangkok Declaration, which is considered as a landmark articulation of a particular Asian Values perspective of the UDHR. This Bangkok Declaration has long been viewed as Asia’s argument for relativism of human rights principles. While indeed it was a strong critique against the double standards of Western countries, it likewise reaffirmed the tenets of the UDHR. Arguably, therefore, the disregard and criticisms that both Duterte and Mahathir hurl against the UDHR are not even within the core framework of the Bangkok Declaration.

The discursive strategy of Duterte and Mahathir against human rights ideas signifies a dangerous scorched-earth rhetoric. The crux of their criticisms are oriented towards the destruction of the very foundations of human rights virtues: *universality*, *inalienability*, *indivisibility* and *interdependence*.

Firstly, the assertion that the observance of human rights is ‘country-specific’ – as such, dependent on a state’s socio-cultural orientation and level of development – attacks the principle that rights are universal. This practically denies the reality that any human being regardless of class, status, race, gender, or religion can be a victim of abuse and cruelty. The arguments of Duterte and Mahathir based on the inapplicability of liberal freedoms to developing country contexts wantonly forgets the historical rationales why the Philippines and

Malaysia had subscribed to the UDHR in addition to joining the international aspirations for a more peaceful, humane and developed world.

The UDHR provided an initial framework of principles for the nation-building process of the Philippines immediately after independence from the US in 1946. Active participation and contributions of the Philippines to the formulation of the UDHR was motivated in part by the cumulative learnings from the country's brutal and oppressive colonial history from Spain, Japan, and the US. The ideals of the UDHR also inspired the struggle of colonial Malaya for genuine independence from Britain in 1957. Human rights principles, including the right to self-determination, have been a cornerstone to subsequent decolonization processes and state formation of the multi-ethnic peoples of Malaysia.

Secondly, the effect of making a binary distinction between 'good citizens' and 'bad criminals' is to repudiate the affirmation that rights are inalienable. Such dichotomy is coupled with a 'straw man' argument, labeling critics of harsh punitive measures as protagonists of chaos, crimes and criminals. The fact, however, is that human rights violations are indiscriminate.

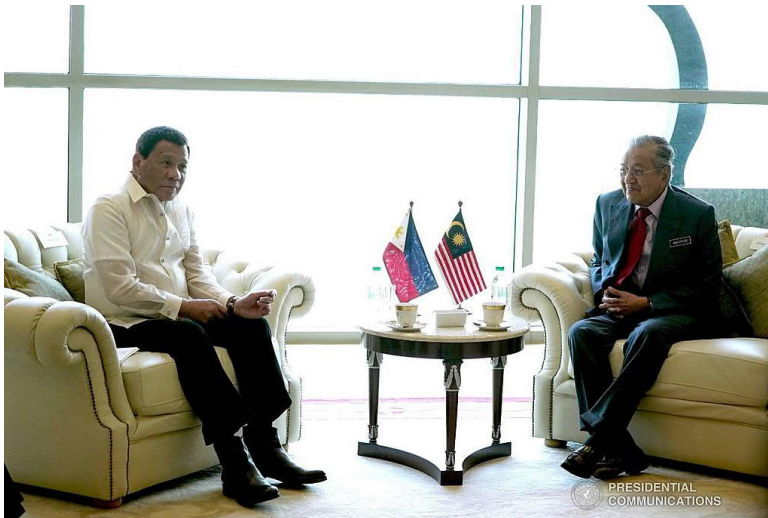
One of the fundamentals in state theory and political philosophy is the idea that governments are necessary because humans are not angels, and not every citizen is by nature legally compliant. This means that Duterte and Mahathir are elected state leaders with the duty to govern not only law-abiding citizens, but also socially deviant individuals in their countries.

The task of governance demands leaders to oversee the management of human behavior in the society not from the sentiment of an ordinary individual towards other individuals, but from a broader perspective of bettering human living-together. It is quite normal for an individual to blame a poor person for his own suffering, to loathe a drug dependent for his addiction, or to condemn a criminal for his acts. But a government with a more holistic and longer-term view must direct the indignation at the social conditions that make it possible for someone to suffer from poverty, to be victimized by drug addiction, or to commit crimes. A humane approach to governance of a society enjoins governments to create the socio-economic policies and institutions that would most likely prevent the subjection of citizens to abject poverty, illegal drugs addiction and criminality.

Thirdly, the oft-repeated argument of Duterte and Mahathir that 'Western' notions of human rights based on liberalism are ineffective in the governance of Asian societies and pre-industrial economies is meant to undermine the indivisibility and interdependence of rights under the UDHR. They argue that in the Filipino, Malaysian, or Asian cultural, social and economic contexts the rights to security and development trump over European and American liberalism's privileging of civil and political rights.

Owing to vested interests, Western liberalism's emphasis on political freedoms has indeed eclipsed UDHR's other constitutive components – particularly Articles 22, 23, and 25 on social, cultural, labor, economic and developmental rights. Likewise, during the past twenty-five years, the doctrine of humanitarian intervention has revealed how the ideology of human rights can be utilized as an instrument to pursue particular national and class interests. The wars of encroachment that have been carried out in the name of humanitarianism in the Arab world

mainly resulted in mass murder, the subversion of sovereignty, and the annihilation of past civilizations and their future generations. While a critique against the misdeeds and moralizing of the liberal elites are valid, this does not morally justify one's renegeing on the indivisible and interdependent values of human rights.



Duterte met Mahathir in 2018 – Creator: [Presidential Communications Office](#). Public Domain.

Reorganizing and Rethinking Social Movements

The landslide democratic elections of Duterte and Mahathir happened despite their notorious human rights record. Present-day manifestations of populism show how the spirit of democracy is being alienated from the principle of human rights. Accordingly, ruling elites peddle the idea of ‘good governance’ as a desirable practice of state leaders that can be attained even without observing the rights of citizens to demand democratic accountability from their governments.

Populism viciously promotes the false consciousness that there can be political democracy and economic development even without human rights. As more people across the world are quickly swayed into this propaganda, whatever are left of the ideological and institutional gains that democratic forces have fought and died for during the long twentieth century are ruthlessly being destroyed.

The growing popularity of autocratic governance is a symptom of the deepening crises of the ideology, politics and policies of liberal democracy, social democracy, and neoliberal capitalism that paved the way to the current state of massive precariousness between and within societies. Ironically, instead of heightened inter-class struggle at this juncture of widening inequalities, what arise are intra-class conflicts where the poor, workers, and the middle class are pitted against one another. The right-wing personalities and groups are capturing this crisis moment to their advantage by effectively mobilizing the legitimate fear, anger, and hopes of the insecure multitude.

In the economic sense, Asia's decolonization process is far from complete because Third World countries continue to serve as peripheral states to core capitalist centers under conditions of neoliberal globalization. At the same time, in the socio-political and cultural spheres, a genuinely democratic nation-building project is unfinished for most Southeast Asian states that have major historical conflicts from 'minority' groups. This is manifested in various forms, notably the enduring armed struggles in the Philippines and the institutionalized discriminatory legislation in Malaysia. Thus, within the contexts of mal-development and social conflicts, the authoritarian populism of Duterte and the ethno-nationalism of Mahathir are able to mass mobilize effectively through, *inter alia*, the use of a self-serving notion of sovereignty and a distorted sense of majoritarianism.

The intensifying precarity of human psychological and societal conditions is proving to be mutually reinforcing with the ascendance of authoritarian politicians and despotic movements – from Duterte and Mahathir in Southeast Asia, to neo-nationalist parties in Europe, Donald Trump in the US, and Jair Bolsonaro in Latin America. Therefore, it is most urgently needed for human-rights movements to reorganize and rethink progressive strategies to address the psychology, politics, and economics of human insecurities.^[4]

First, there is a critical need to strategize on the *coordination of collective actions* between human-rights actors in local communities, civil society, state agencies, and international organizations. Recall that since the inception of UDHR in the contexts of postwar peace-building and decolonization efforts, the project to universalize the ideals of human rights has been envisioned as an evolutionary process of struggle at all levels, from households and workplaces to national governments and global governance institutions. Here, Eleanor Roosevelt, chair of the UDHR's drafting committee, offered a timeless reminder: "Human rights begin ... in small places.... Without concerted citizen action to uphold them close to home, we shall look in vain for progress in the larger world."

Second, it is crucial that the idea of human rights is reconciled with its original signification under the UDHR – that is, the understanding of the *intersectionality of human and social life*. The dominant discourse of the liberal elites has long undermined the indivisibility and interdependence of rights. It has reduced the principle of human rights to a mere political and individual category, bereft of its socio-economic essence and requirements. As a result, the dominant strand of liberalism has tolerated vast poverty and naturalized tremendous inequalities of wealth.

Indeed, there are vital lessons that a re-organized progressive movement can draw from the fundamental and tactical errors of the liberal tradition that has predominantly carried the human-rights banner. Ideologically, it is important to link the defense of human rights with the critique of inequality and the struggle for social justice. Politically, the strategy of the collective movements must be for the simultaneous attainment of the synergistic virtues of political-civil freedoms, socio-economic egalitarianism, communitarianism and human solidarity. Economically, for the time being, a policy shift is viable: from today's GDP/growth obsession, to the goals and visions that shall bring about the much-needed sense of security and meaning among human beings—namely, basic incomes, full employment, social commons, sustainable communities and different alternative ways of leading a good life.

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Bonn Juego

Postdoctoral Researcher at University of Jyväskylä



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CONTACT:

bonnjuego <at> yahoo.com

BIOGRAPHY:

Dr. Bonn Juego is concurrently a visiting research fellow at the Southeast Asia Research Centre, City University of Hong Kong and a postdoctoral researcher at the Department of Social Sciences and Philosophy, University of Jyväskylä, Finland. His recent publications, research and teaching endeavors are in the political economy of contemporary Philippines and Malaysia, the realpolitik of the ASEAN Economic Community project, the challenge of right-wing populism in Asia and Europe, the concept of authoritarian neoliberalism, the struggle of social movements for alternative futures, and the new privatization of global development finance.

He obtained a PhD in Global Development Studies from Aalborg University, Denmark; an MA in regional integration from the Asia-Europe Institute, University of Malaya, Kuala Lumpur; and a BA in political science from the University of the Philippines - Diliman.

CONTRIBUTIONS:

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