

Media in the Present Crisis

ATTY. MANUEL ALMARIO (National Press Club / NPC): From 1986 to 1988, 16 journalists, two of whom were foreigners reporting on the 1987 attempted coup, were killed in the line of duty. In view of these deaths, the members of the National Press Club (NPC), during their annual convention in April 1988, passed a resolution demanding that humane treatment and protection be extended to journalists as neutral non-combatants in armed conflicts. In this resolution, the NPC invoked Protocols I and II of the 1949 Geneva Convention which require that such humane treatment and protection be afforded to non-combatants in and victims of armed conflicts, including non-international armed conflicts or civil wars and insurrections. This resolution is addressed to the NDF-CPP-NPA, the MNLF, the AFP and its different factions, and to all other parties to every armed conflict in the country.

The NDF has already announced its adherence to this humanitarian call. The government has yet to similarly respond to this call. Defense Secretary Ramos skirted this issue during an NPC forum last year. Military authorities continue to warn journalists against contacting rebel contingents or covering rebel operations without prior coordination with them (the military). During the December 1989 coup attempt, the government closed down one radio station, **DZEC**, for broadcasts allegedly supportive of the coup conspiracy. Several broadcasters were banned from the airwaves for the same reason.

In his letter to President Corazon Aquino dated 6 December 1989, which was leaked to the press, AFP Chief-of-Staff Renato de Villa urged the President to seek authority from Congress *"to close down, take over, or supervise the operation of all print media, and radio and television stations which incite to rebellion or disseminate false reports or newscasts tending to sympathize or aid the rebellion or coup d'etat"*.

The National Telecommunications Commission likewise issued a memorandum prohibiting the *"airing of rebellious, terrorist propaganda, comments, interviews, information, and other similar and/or related materials, and ... of government strategic information"*. It also directed *"all radio broadcasting and television stations to cut off from the air a speech, play, act, scene, or any other matter being broadcast and/or telecast if the tendency thereof is to propose and/or incite treason, rebellion, or sedition, or if the language used therein or the theme thereof is indecent or immoral."*

The letter of de Villa caused much outrage among media people as the emergency powers granted by Congress to the President do not allow her to close down newspapers and broadcast stations for unknown offenses. The NTC memorandum is apparently being observed as not one television or radio station has aired interviews with the coup leaders and plotters who are still at large (although the newspapers and other publications, not being subject to the same government license requirements that the broadcast media need to meet, continue to print such interviews).

From the foregoing, it is apparent that there is an alarming tendency among military and civilian authorities to allow the media to cover only their side of armed conflicts. This is in stark contrast to the relative freedom afforded to the Western media during the following armed conflicts that involve(d) the US government:

First, at the height of the US invasion of Panama last year, the National Broadcasting Corporation (NBC) aired live nationwide a speech of Gen. Noriega, calling for armed

resistance among his soldiers and compatriots. For its broadcast of "enemy propaganda", the NBC was neither reprimanded nor threatened with closure by the American government.

And second, at the time when the US was "unofficially" at war with Vietnam, American journalist Harrison Sansbury travelled to Hanoi and wrote a series of articles in the *New York Times*, giving an objective account of the situation in North Vietnam and the views of its leaders. He was initially accused of being unpatriotic, but it was his kind of objective reportage on Vietnam that saved many young lives from being sacrificed in that stupid war. During the same war, the US Supreme Court, deciding against a government petition to block the publication of the "Pentagon Papers" on the contention that "their disclosure would pose a grave and immediate danger to the security of the United States", declared that "only a free and unrestrained press can effectively expose deception in government". Justice Black and Justice Douglas, in their joint and concurring opinion on the case, also extensively quoted from a 1937 decision of Chief Justice Hughes that "the greater the importance of safeguarding the community from incitements to the overthrow of our institutions by force and violence, the more imperative is the need to preserve inviolate the constitutional rights of free speech, free press, and free assembly in order to maintain the opportunity for free political discussion, to the end that the government may be responsive to the will of the people and the changes desired may be obtained by peaceful means. Therein lies security of the Republic -- the very foundation of constitutional government."

Free press and speech is not absolute. Statements can be considered seditious if "used in such circumstances and of such a nature as to create a clear and present danger that will bring about substantive evils that the government has a right to prevent".

MR. RAMON ISBERTO (Inter-Press Service): In February 1979, the Social Weather Station conducted a survey to compare the credibility of different media forms as sources of news. The survey asked: *Pakikhanay po ninyo ang mga sumusunod batay sa kanilang kahalagahan sa inyo bilang pagkukunan ng balitang mahalaga sa bayan: pahayagan, radyo, telebisyon. Sa tingin po ba ninyo, ang mga balitang galing sa _____ (e.g., telebisyon) ay: talagang kapanipaniwala, kapanipaniwala, pwedeng kapanipaniwala, pwedeng hindi kapanipaniwala, hindi kapanipaniwala, talagang hindi kapanipaniwala?*

In that survey, television came out the most credible medium, broadcast radio the second credible source, and the newspapers a poor third. The logic of "seeing is believing" appears to work in favor of television. The immediacy of radio broadcasts also makes this medium credible. These survey findings may explain the strict limits imposed by government on television and radio broadcast. It is almost axiomatic that the more influential a medium is, the greater is the pressure exerted on it by the other institutions of power in society.

The more interesting information revealed in that 1979 survey, however, pertains to the size of the undecided respondents. Of those who were asked to assess the credibility of television as a source of news, 46 percent found the medium credible, two percent did not, and 51 percent could not tell. When asked the credibility of radio, 41 percent of them answered positively, three percent did not, and 55 percent could not decide. As for the newspapers, 31 percent of the same respondents found them credible, six percent disagreed, and 62 percent did not know.

In September 1988, the Social Weather Station conducted a survey to compare the trust-rating of several institutions. It asked: *Sa mga sumusunod na institusyon o asosasyon naman po, maaari po bang pakisabi ninyo kung ang inyong pagitiwala at kumpiyansa sa mga ito ay: napakalaki, malaki, maaaring malaki, maaaring maliit, maliit, napakamaliit?* (This was not a blind question for it named specific institutions.)

In their order of trustworthiness, the Catholic Church came first; colleges and universities, second; the Armed Forces of the Philippines (AFP), third; the Supreme Court, fourth; the US Government, fifth; the broadcast media, sixth; the Senate, seventh; the House of Representatives, eighth; and, print media, ninth.



If these survey data are reasonably accurate (although one might say that they are rather dated), they put the media in an awkward situation where the AFP, which is keenest on placing restraints on it, seems to be more trusted by the Filipino people. These data do not constitute an argument for muzzling media. They are, however, valid cause for concern among media practitioners who must now locate the roots of this "credibility problem". One analysis offered is that media present too confusing a picture of the situation that the people can no longer determine where the truth lies.

"Parachute journalism" or that practice among foreign correspondents of dropping into Manila and writing "analytical" pieces based on questionable sources further affect media's credibility. The standing complaint is that foreign reports on the Philippines are often negative. But then, it is only when disaster strikes the country that foreign media pay any attention to it. The individual skills or capabilities of the correspondents may have little to do with the way reports come out. To be fair, there are lousy foreign correspondents as there are lousy local correspondents, and there are good foreign correspondents as there are good local ones. (In reporting local events, Filipino correspondents have the advantage of cultural familiarity, but they suffer the disadvantage of being too close the reach of repressive authorities -- in which case, it may be an advantage to be a foreign correspondent.) Perhaps, the best policy in dealing with derogatory reports -- foreign or local -- is to give them only the degree of importance that they deserve.

In the practice of their profession, journalists are not guided by any hard and fast rule on the balance between rights and responsibilities, freedom and obligation. The experience of other countries and cultures would be most instructive in defining this balance. In the case of India, where ethnic riots are widespread, local media practitioners are trained in school to substitute explosive or emotional terms with euphemisms (e.g., "communal conquests" to refer to racial riots). In Singapore, where there are also racial riots, the same practice exists, but is imposed by the government.

In every case, vigilance must not be sacrificed. It is perhaps this virtue that saved Philippine media from the more draconian measures contained in the original version of the Emergency Powers Act.



There is much to be learned from the professional standards of the media. The media is not a neutral observer. It is a participant in the events it reports. It is a part of the process. It is a part of the story.

ATTY. JOSE MARI VELEZ (GMA Channel 7): Freedom of media is a given. No further discussion on this is needed. Threats to the freedom exist. These should not give cause for worry unless the threats are institutionalized into laws or decrees. A media that is never under threat is soon reduced to irrelevance and impertinence. And any journalist worth the calling should find in this situation opportunity to improve his (sic) craft.

In my view, media practitioners cannot be neutral. We must always be on the side of truth. Our role in media, after all, is to *report the truth as may be gleaned from the facts, as we have the eyes and wisdom to see the facts.* And this role does not change with the social situation. I cannot, therefore, imagine the papers and broadcast networks coming together to define a distinct role for media in times of crisis. If there is a hidden agenda being pursued by any paper or station, its nature may be revealed by the composition of the owners of that media outlet. To my knowledge, there are only two stations, one of which has closed down, that deliberately go against the government. But there are others that merely report facts about the government. That these facts indicate that government is in deep crisis is not the fault of media. Neither is media to blame if some dumb people in government look and sound dumb. Media cannot create a crisis. It can only report one. It cannot, for instance, look the other way while the government seems unable and incapable of making a simple arrest of a self-proclaimed coup-supporter. A government that cannot enforce its own laws does not deserve to exist. And the media should not be faulted for this.

It is true that under the franchise granting a radio or television broadcast station the right to operate, there are certain administrative provisions that ought to be followed. Contrary to an earlier claim, this did not prevent us from airing interviews with such coup-plotters as Abenina (before his capture) and Noble. In any case, as far as the Constitution is concerned, free speech is guaranteed regardless of the medium used. So the state cannot put prior restraint on the print media no more than it can on broadcast media. There is logic in this. The power to shape public opinion is shared by both print and broadcast media. (I must confess that I am not very fanatical about surveys, especially those that show the US government enjoying some credibility.) The truth in broadcast is the same truth in print. A

libel in print is also a libel in broadcast. I, therefore, discourage the thinking that it is easier to close down the broadcast stations than the presses.

DEAN GEORGINA ENCANTO (UP College of Mass Communications): At the base of any democracy is an informed and articulate citizenry. A free media creates that base. It empowers the public to shape national policies by informing them of the doings and failings of government and other social institutions.

The importance of media has been historically established. In times of reaction, as when martial rule is imposed or a coup attempted, it is a free media that is the first casualty. In struggles for democratic reforms, it is this same institution that can tip the delicate balance between mass apathy and political involvement.

I hold the same view that one cannot speak of a distinct role of media during a crisis. Its singular role, in times of peace or conflict, is to report events as accurately and comprehensively as humanly possible. If it must be beholden to any interest, this interest is that of the public and not of any specific sector within or outside government.

In the surveys cited earlier, it was revealed that television enjoys the highest credibility relative to radio and press. But during the last coup attempt, this medium performed below par (some stations were showing old footages of the coup and even entertainment programs). It was the radio, already reaching 95 percent of the population, that was the principal source of news about the coup.

There is urgent need to improve the professional standards of our media. The other survey cited suggests this. The UP College of Mass Communications realizes the need for reforms in the profession and has been holding regular courses on the ethics of mass media, with the declared purpose of instilling in our students and practitioners the values of prudent and responsible journalism and broadcasting. By making members of the profession realize the power of media and the need to exercise this with prudence, we hope to deprive the authorities of the excuse to severely regulate us. If the profession must be policed, it is best that this be done by media practitioners themselves. This is the import of our statement last December on the issue of safeguarding free speech (see the text of the statement of the UP College of Mass Communications in the document section -- Ed.). The people, too, must police their media to rid it of incompetent and self-serving papers or stations. They can do this by applying mass pressure on those in the business that betray the public trust.

CAROLYN RUIZ (Philippine Collegian): It would be nearer the truth to say that Philippine media today is not completely free. The current state of campus journalism reflects this.

Following the EDSA uprising, the new government of Mrs. Aquino instituted certain reforms in the educational system purportedly to restore academic freedom. The Department of Education, Culture, and Sports (DECS) accordingly reassured campus publications of this. But until now, most campus papers that folded up during martial rule have yet to resume publication. They do not find local conditions -- i.e., school policies -- favorable to the free exchange of ideas. School administrations remain paranoid about academic freedom.

Some may find campus papers too "lightweight" to matter. But then, it is through campus papers that career-journalists are initiated into the profession. So that if you have inane campus journalists, you shall have doubly inane career-journalists. If you have militant student writers, you are assured of a pool of militant professional writers.

Further, a good number of campus papers in the country are alternative papers. Historically, they print views that are independent of -- not necessarily opposed to -- the official view. They can afford to do this because they are accountable not to the government nor the school administration but to the students. If you ban these papers or put objective restraints on their publication, you are effectively eroding the base of a free professional media.

DISCUSSION

MR. JOSE MARI VELEZ: I find unfair and inaccurate the comparison between radio and television in their coverage of the last coup attempt.

First, there is no basis for comparison. With radio, it is possible to report a breaking event, such as a gunbattle, from a safe distance and with some entertaining comments. This is not possible with a visual medium like television. Our reporters cannot film a gunbattle from afar nor bring the OB Van into the middle of it, unless the protagonists are obliging enough to hold their fire, pose, and smile for the cameras.

Second, our reporters were out in the battlefield gathering news which we could not, however, broadcast. At the height of the coup, television stations were either taken over by rebel soldiers or voluntarily disabled by the management. In the case of Channel 7, we hid the "exciter", a vital equipment for the operation of a television station, to prevent the rebel soldiers already occupying the station from going on air. Given this objective limitation, we could only show old footages when we resumed operation on the second day of the coup.

And third, a 24-hour television coverage of an event can be extremely boring, especially if the coverage is not principally visual. One station, for lack of footage, was compelled to give someone from Congress too many hours on the air. Now, any miserable idiot who is given 10 hours in front of the cameras cannot possibly do better than to incriminate himself.

To reiterate, it is not possible to make a fair comparison between television and radio. In any case, the men and women behind DZRH should be applauded for their fantastic coverage of the December coup.

DEAN GEORGINA ENCANTO: This observation on the failure of television to adequately cover the last coup came not from a student but from Ms. Lydia Benitez-Brown, the director-producer of the television program Batibot. I find this self-criticism healthy and useful to the profession.

QUESTION: If media practitioners cannot be neutral even in times of crisis, specifically on whose side were you during the last coup?

ATTY. JOSE MARI VELEZ: I have enough credentials to show where I stand. And even as I never take a neutral position on any social issue, I never allow my personal views to rule my journalistic work, especially in reporting events.

MR. RAMON ISBERTO: Underlying that question is the general view that if one is on the side of constitutional order, one should slant one's coverage in favor of the government. Let us approach the issue through these rhetorical questions: what if the government is itself violating the Constitution? What if it is on the brink of collapse, as it actually was on the first night of the coup?

COMMENT: The question presents a false choice between two factions of the elite whose commitment to the weakest section of society has long been in doubt. It diverts attention from the more crucial social issues of land reform, American intervention, etc..

MR. RAMON ISBERTO: The difficulty I have with that line of thinking is that some groups have declared themselves to be with the people on certain social issues. Journalists, however, have no way of verifying their altruism. For instance, RAM has officially declared itself in favor of land reform and the removal of the US bases after 1991 (this is based on the statement of captured RAM leader Abenina). To aid the public in their evaluation of similar statements, media must provide them with conditional data.

QUESTION: Do media owners influence the gathering of information and its dissemination?

MR. RAMON ISBERTO: I share the view that the ultimate orientation of a paper or station is set by its *real owners*. The more senior professionals handling its daily operation also shape this orientation.

QUESTION: What exactly is "balanced reporting"? Must this be sacrificed in times of national emergency?

ATTY. MANUEL ALMARIO: A journalist cannot avoid developing his personal views on an issue. If he must make his views public, then they must be properly labelled as 'opinion', not news. In reporting events, however, he must subdue these views and objectively present all sides of the issue to allow the people to make their own judgement. This balanced reporting is specially necessary in situations of warfare. It is through this practice that a journalist earns protection and security. If he has proven himself to be unarmed and neutral, he cannot be considered a combatant or a legitimate target of any party to the conflict.

This is an easier task to perform in international conflict situations where the line between enemies and allies is more clearly drawn. A journalist who takes the side of the external enemy can be made to pay severely for his choice.

In civil wars, however, it is difficult to determine the allies of the people and their enemies. It is possible that, in the eyes of the people, legitimacy no longer lies in the government but in the rebels. The opposite case could also be true. Under these circumstances, the task of the journalist is to cover all parties to the conflict as objectively and comprehensively as possible. Only then can he avail of protection and security afforded by international laws.

QUESTION: How do you view the publication and broadcast of the "pooled editorial" initiated by Cardinal Sin?

ATTY. JOSE MARI VELEZ: What was broadcast and published was not a "pooled editorial" or a single opinion prepared by the government and released by all the papers and stations on the same day. What came out on the same day and at the request of the government were editorials on peace and democracy written or presented with different slants by the respective editorial boards of these media outfits. This is not an unusual practice. The important thing is that these papers or stations did not surrender their editorial prerogatives.

ATTY. MANUEL ALMARIO: The publication or broadcast of an editorial at the request of government indicates a failure of nerve or conscience on the part of an editorial board. This is specially true in cases where the editorial sought unequivocally defends a government that is under threat of a rebellion. (Under the American Constitution and some unwritten constitutions, the right to revolt is recognized.)

(ATTY. JOSE MARI VELEZ: A revolution is superior to any constitution because it is undertaken in disregard thereof. A popular revolution needs no prior constitutional recognition because its legitimacy does not derive from a constitution.)

QUESTION: Where does internal vigilance (against irresponsible journalism) end and self-censorship begin?

ATTY. JOSE MARI VELEZ: Self-censorship is practiced daily. The government politely requests media to either postpone a report or present it in a manner that does not add to the explosiveness of an issue. Without abdicating its editorial privileges and prerogatives, an editorial board may accede to the government's request. The effectiveness of this method makes the use of state coercion unnecessary and even counter-productive.

ATTY. MANUEL ALMARIO: Editors may withhold information only when the public interest, as they view it, requires them to exercise self-censorship. Under martial law, what was practiced was not self-censorship in the sense that it was the imminent threat of sanctions that compelled media to withhold information.

COMMENT: The question of whether an issue should see print or broadcast is best approached pragmatically. An editor confronting this dilemma must first consider whether the event is newsworthy. If it is newsworthy and he fails to cover it, he shall eventually lose his readers or viewers. This should provide enough basis to make a judgment on what to print or broadcast.

QUESTION: Was the NTC justified in issuing the controversial guidelines during the last coup?

ATTY. JOSE MARI VELEZ: I do not think the issuance of the guidelines was justified; it was probably borne out of panic. But I understand that the NTC, on sober reflection, recalled the guidelines.

QUESTION: Do you anticipate a crackdown on such democratic institutions as the media? What future does media face?

ATTY. JOSE MARI VELEZ: No one is afraid of this government. I do not know if it is capable of enforcing martial law as it cannot even make a simple arrest. If it should attempt to control the media, it is ultimately up to us in the profession to allow such an attempt. Under martial law, we were instructed of the limits of our freedom, but we did not have to constantly operate within those limits.

To those who will join media, do not hope for tolerance. There shall always be severe limits to your practice. To breach these limits at great personal costs is a choice that you can always make.

ATTY. MANUEL ALMARIO: No one is afraid of this government, but there are certainly some who are afraid for it. They are those who value what limited freedom they have now, including press freedom.

In a conference of Asian journalists held in Singapore shortly before the December coup attempt, the Philippines came under discussion as the country in Asia with the most free press and the most unstable situation. The second observation seems to imply that our limited press freedom cannot endure. The December coup attempt reinforced this fear. And while it is true that some individual journalists can resist threats to media, it is the people alone who can effectively defend and expand its freedom. But in some countries, as in Singapore, Thailand, Indonesia, etc., the people value food more than they do freedom.

MR. RAMON ISBERTO: Media anticipates a lively year as elections near. Two newspapers shall be added to the 23 (as of 1988) dailies in the country, among which only two or three are making money. (How the other papers manage to stay afloat and why they ever bother to keep afloat, no one knows.) The Church might also print a paper, but whether this shall be a daily or a weekly, and who in heaven shall finance it are unresolved questions. One or two private television stations and, if Cardinal Sin shall have his way, one Church station, might also be established.

There are plans for the privatization of the Philippine News Agency (PNA). This national news service may have fallen into disrepute, but its usefulness in the coming elections to any private group cannot be doubted. Who shall own it? How shall it be privatized? How shall it be run? These are interesting questions that deserve close study.