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**FOURTH
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PJRREPORTS

Published by the Center for Media Freedom & Responsibility

OCTOBER 2008

**THE LOZADA
AND NERI DECISIONS**



EDITOR'S NOTE

PJRR REPORTS

PUBLISHED BY THE CENTER FOR MEDIA
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PJR Reports welcomes feedback and
contributions on press and media
issues.

Preparing for 2010

A COMMON complaint among many Filipinos is not only that there's too much politics in these isles; there's also too much of it too soon. The 2010 elections are more than a year away, for example. But the would-be candidates, especially for the Presidency, are already preparing for them, presumably by amassing the huge amounts needed to wage—in the less than happy phrasing of the Commission on Elections—"a credible campaign." Capturing, consolidating, and enhancing the complex political machinery that can make the difference between victory and defeat as well as getting one's name into the public's consciousness have also begun—a twin but related process that, among other consequences, will inevitably taint every act, episode, and aspect of governance from now until May 10, 2010.

The media are especially crucial in the latter process. The Philippine media are a major arena of political struggle, despite their many limitations. Philippine broadsheets may have limited reach and the daily issuances of broadcast news ephemeral. But there is nevertheless a sense that they influence decision-making on matters of public interest, no matter if the extent of this influence is difficult to establish with any degree of scientific accuracy. Perception is all, however, and as early as this year the personalities eyeing 2010 are doing all they can to land in the media.

The surest way to do so is through involvement in some scandal or the other, and it doesn't matter whether one is the accuser or accused. As classical communication theory has established, being in the news is what matters in terms of name recall. Thus the effort to get into the media, which in far too many cases amounts to the media's being manipulated by the usual media handlers who today have become regular features of the staffs of every candidate for national office.

And yet the media can transcend this role that the poli-

cicians would assign to them. They can make electoral choices more meaningful by providing the public the information it needs for decision-making in 2010. Specifically, the media need to provide the electorate a sense of what the candidates stand for, because rather than in the political parties, it is among the individual politicians where the differences in approaches to governance have been evident, though admittedly rarely. Rather than the exception, the programs and platforms some candidates have presented must be the rule.

As early as it may seem, the media need to prepare now for meaningful coverage in 2010.

There is no lack of civil society groups that can arm the media with the understanding of the issues that the candidates need to address, as well as to educate the electorate in making informed choices by, among other efforts, providing it information on what each candidate has stood for in the past, and stands for today. Additionally, the media can be proactively informative by themselves identifying the issues that need to be addressed, and by providing an analysis of the state of Philippine society, a critique of the policies of the Arroyo government, and an assessment of each candidate's program.

The complaint that it is too early to discuss politics misses the point. Politics in the sense of how power is used and for what purpose is a constant in governance, whether elections are being held or not. The media in fact need to sharpen their understanding of the nature of political power in this country and the uses to which it has been put for them to succeed, with civil society help, in pushing the politicians into developing the programs and platforms that can pull the country out of the rut it's in.

Luis V. Teodoro

PRESSED FREEDOM

By Manix Abrera



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SPEAKING OF MEDIA

The Prez on the press

"TASK FORCE 211 and our various law enforcement agencies need the support and cooperation of all stakeholders if we are to end these killings once and for all.... We will stop at nothing to protect the lives of our nation's media men and women."

President Gloria Macapagal Arroyo, in her speech during the 100th anniversary of the Philippines Free Press Publishing, <http://www.macapagal.com>, Aug. 27

Legal harrassment

"JAKE MACASAET is probably one of the few publishers of dailies with a national circulation in opposing a proposal to decriminalize libel. He says going to court is the proper recourse of a person who feels he has been maligned by a publication. He says it is the only way a citizen can protect himself from an abusive press. He says fair's fair—if we in the press can dish it out, then we should be able to take it.

"Macasaet and some staffers of this paper were among the two score or so journalists serially haled to court by Mike Arroyo last year. When Mike offered to drop the cases in what the Palace said was an act of charity and forgiveness after a life-threatening illness, Macasaet instructed *Malaya* lawyers to agree to Arroyo's offer insofar as it covered the staff. For himself, Macasaet told the lawyers to oppose Arroyo's motion to drop and to ask the court to proceed to trial.

"He said it was not for Arroyo to declare him guilty or innocent. He said such a determination can only be made by the courts.

"So who's afraid of libel charges? Definitely not Macasaet.

"When Macasaet was arrested Thursday morning over a libel complaint that had been sleeping the sleep of the dead for nine years, he was not in the least alarmed or worried. That's the way it is, especially when one makes enemies of powerful people. He knew there was something amiss. His lawyers were not provided a copy of the prosecutor's finding of probable cause. The arrest warrant was served two days after it was signed by the judge.

"He nonetheless submitted himself to the process. After posting bail around 3 p.m., he was told by 'friendly sources' that another warrant—arising from the same reports but filed as a separate count of libel with another sala—was about to be served on him around 4 p.m. the same day. The idea apparently was to rob him

of the opportunity to post bail and to let him stew overnight in jail.

"Once is happenstance, but twice is no longer coincidence. Some people, not necessarily the complainants, are clearly sending a message. But if they believe Macasaet or this newspaper can be cowed by this arrogant display of power, they have another thing coming.

"We call it as we see it. And libel charges, especially of the harassment kind, be damned."

Malaya, on the Sept. 4 arrest of publisher Amado Macasaet over two libel cases, Sept. 6. Macasaet has posted bail for both.

Reporting on the Olympic delegates

"WHILE I respect the freedom of speech that we practice, I would ask that we also consider the implications of the pointed pen when an article demeans the efforts of our Olympians. Each and every one of the 15 Olympian went there with the notion of doing his best. All of them invested years of training to achieve their dream of being an Olympian. Perhaps some of them had dreams of even being a medalist. And perhaps some of them who are still young enough still have that dream. But let's not spoil that dream and, perhaps, be more constructive with the power of the pen and ask the questions as to what can be done better toward our quest for future medals...and keep that dream realistic...but keep that dream alive."

Wilfred Steven Uytengsu Jr., chairman of the Philippine Basketball Association(PBA) and owner of the Alaska Team, BusinessMirror, Sept. 9

The key issue

"I FOUND the police explanation that the journalists covering the event were in a crime scene and, therefore, needed to be 'processed' rather ludicrous at first, but also very unsettling later. For it could open the floodgates to outright interference by authorities in legitimate news coverage. Press freedom is the key issue here. The police action during the Peninsula siege is an outright assault on press freedom that should not be countenanced."

Columnist Ernesto Hilario, on the Commission on Human Rights of the Philippines (CHRP) finding on the Nov. 29 arrest of journalists at the Peninsula Manila, Sept. 4, BusinessMirror.

In a 20-page resolution dated Aug. 26, the CHRP found that the police committed human rights violations when they arrested and detained media practitioners covering the press conference of Sen. Antonio Trillanes IV and Army Brig. Gen. Danilo Lim.

THE COVER

Two recent court decisions are likely to have a negative impact on the right to know.

Cover photos by LITO OCAMPO



LETTER TO THE EDITOR

I JUST got my copy of the latest *PJR Reports* (September 2008 issue). I am in full agreement with your editor's note, particularly on your point that youth or inexperience does not disqualify one from commenting on the press.

I was dumbfounded, however, when the whole page 4 was devoted to the perceived "parochialism" of the local press in reporting Pakistani President Pervez Musharaff's resignation.

From where I sit, I see nothing terribly wrong with how the *Philippine Daily Inquirer* and *The Philippine Star* treated the story; on the contrary, they did a fine job. In the case of *Malaya*, no apologies for that "day-old" story. It was a case of an update not meeting the early deadline of a single edition daily.

Take a look at *The Washington Post* and *The New York Times* front pages used to illustrate the monitor's point. It obviously was a pretty slow news day for those two papers, giving both room to play up the Musharaff story. Had the resignation taken place as Ike was battering Texas, I'm sure that story would have been bumped off page 1.

The Moro Islamic Liberation Front (MILF) attacks, I believe, have an impact on Filipino readers in the order of a magnitude bigger than the resignation of Musharaff.

In the case of the *Inquirer*, the top story was headlined "41 killed in MILF attacks"; in the case of the *Star*, "Lanao del Norte burns". The other stories on page 1 in both newspapers were related to the banner—government response, MILF's disowning of the attacks. The stories at the bottom were on Benigno "Ninoy" Aquino Jr. and on the ongoing Beijing Olympics (*Malaya* more or less had the same make-up).

I suppose, the *Inquirer* and the *Star* editors could have yanked out the stories at the bottom to make space for the Musharaff resignation. But that would have underplayed the story. Thus the decision, if I may speculate, to place it on the "ear", which is the second most prominent space on the upper fold after the banner.

To tie this up to your editor's note, the point, I suppose, is that the people in the newsroom do have a better assessment of the impact and significance of stories than those who have no experience in putting out a paper. The best evidence is the make-up of page 1 on the day we are talking about.

This is not to say the Philippine press is not guilty of parochialism at times, but this particular case is not exactly a good example.

With my highest regards,
Joy Delos Reyes
editor in chief
Malaya

MONITOR

The predatory regime

 CHEERS TO *Philippine Daily Inquirer* contributor Nathan Gilbert Quimpo for his analysis of the country's weak democratic state. In his commentary published Aug. 19, Quimpo argued that a predatory regime—the existence of "grave social disparities and increasingly opportunistic behavior of the political-economic elite" during the Marcos dictatorship—has made a comeback. "The Philippines' current predatory regime, covering both the Estrada and Arroyo governments, is not as authoritarian as the Marcos regime was, but it clearly has growing authoritarian tendencies or features," Quimpo wrote in "The return of the predatory regime" (p. A12).



Marcos
[HTTP://WWW.MARCOSPRESIDENTIALCENTER.COM](http://WWW.MARCOSPRESIDENTIALCENTER.COM)

Democracy reviewed

 CHEERS TO *the Philippine Free Press* for providing an analysis of the present state of Philippine democracy. In its centennial issue (Aug. 30), the *Free Press* examined how democracy has deteriorated since the downfall of the Marcos dictatorship in 1986 ("Democracy After Marcos", p.50, 52, 54, and 56).

Recalling Aug. 21, 1983

 CHEERS TO *the Philippine Daily Inquirer* for bringing readers back to what happened on Aug. 21, 1983. Fe Zamora's seven-part special (Aug. 21-27) on the assassination of then opposition leader Benigno Aquino Jr. discussed details and personalities allegedly involved in the plot, and reminded readers of this major political incident that helped oust Ferdinand Marcos from power three years later.



BWM's Vicente Romano III
LITO OCAMPO

One-sided

 JEERS TO *The Philippine Star* for one-sided reporting. Its Aug. 31 report ("Estrada says Lozada sought his assistance," p.9) was entirely based on the tirades of former President Joseph Estrada against the civil society group Black and White Movement (BWM). Quoting Estrada, the report claimed that national broadband network controversy whistleblower Rodolfo Noel "Jun" Lozada Jr. had met him and asked for help. Estrada said Lozada's ties with BWM had turned sour. The *Star* did not corroborate the information with either Lozada or BWM.

MOA primer

 CHEERS TO *The Moro Times* for a primer on the controversial memorandum of agreement on ancestral domain (MOA-AD). Its Aug. 29 issue carried a primer by peace advocate Soliman Santos Jr. on the MOA-AD between the government of the Republic of the Philippines and the Moro Islamic Liberation Front (p. D4). Santos explained some of the MOA-AD's most contentious points.

The Moro Times is a monthly supplement of *The Manila Times*.

Fr. Eliseo Mercado, another prominent peace advocate, earlier published in his *GMA News.TV* blog a similar primer based on a discussion with lawyer Camilo Montesa of the Institute of Autonomy and Governance.



LITO OCAMPO

Beyond spot reports

 CHEERS TO *the Manila Bulletin* for an informative report on motorcycle accidents.

An Aug. 13 report ("Father, son killed; mom, another son injured in Pasig motorcycle accident", p. 2) on a road accident provided context through statistics.

The article, which was pegged on four incidents of motorcycle accidents, cited Metropolitan Manila Development Authority statistics that showed an increase on the overall number of motorcycle-related incidents in the first quarter of 2008 compared with the same period in 2007. The report also provided related statistical information.

The report is an example of a police story that went beyond providing spot data by also providing the larger context.

Source and context

 JEERS TO *The Daily Tribune* for a sensationalized headline. Last Aug. 21, the *Tribune*'s main story was headlined: "Enrile to GMA: Suspend all contacts with MILF: 'No option save for an all-out war vs Islamic dictators'". The quote used in the headline apparently came from administration Sen. Juan Ponce Enrile. But the report did not carry such a quote or statement. Given its gravity, the paper should have clearly indicated the source of the statement and the context in which it was made. ■

MONITOR



CHEERS



JEERS

JEER OF THE MONTH


[HTTP://WWW.HANDBAGSONLINE.COM](http://www.handbagsonline.com)

Bad Bags

JEERS TO *The Evening News* for a trivial report about designer bags, the point of which even its reporter could not tell. Its feature "Dokumentado: Gud Tayms (Documented: Good Times) - i ❤️ bags" ran for four minutes and was all about designer bags: their price range and main-

tenance, as well as how to tell the real thing from the fake (Aug. 21). In an attempt to give credit to the people who collect these bags, the reporter said condescendingly, "Sabi ng ilang historians na wala naman talagang alam maliban sa history ng bag (Some historians, who know nothing except the history of bags, said...)." But the reporter ended up acknowledging that the story she was reporting was all about nothing. "Ano nga ba ang punto ng istoryang ito? Wala lang (What is the point of this story? Nothing)." Then she continued saying, "Sa tanong kung baka naman hindi talaga naghihirap ang Pilipinas? Sa harap ng mga nakita kong bags, ang masasabi ko lang, malamang (To the question, maybe the Philippines is not really in a state of poverty? With all these bags, all I can say is, probably.)"

Remembering Ninoy

CHEERS TO ABS-CBN 2 for airing a special on the assassination of Benigno "Ninoy" Aquino Jr. on Aug. 23, 1983. Produced by the Foundation for Worldwide People Power, *Beyond Conspiracy: 25 years after the Aquino Assassination* reminded viewers how the murder

of one man helped restore democracy in the Philippines.

Checking the justices

CHEERS TO *Saksi* for reviewing past cases involving Court of Appeals associate justices in light of the High Court



Court of Appeals

LITO OCAMPO

decision on the misconduct of some appellate court justices involved in the Manila Electric Company-Government Service Insurance System case. Last Sept. 10, *Saksi* recalled the dismissal of two Court of Appeals associate justices prior to that of Associate Justice Vicente Roxas. It highlighted the cases of Associate Justices Demetrio Demetria and Elvi John Asuncion, who were previously dismissed from service for various violations. The program added that 130 judges have been dismissed since 1986.

TV Patrol World also provided background information on Asuncion and Demetria, but it was shorter compared with the *Saksi* report.

Tracing trends

CHEERS TO GMA-7 for continuously providing helpful infographics that trace oil price trends in the

world market amid various calls for a price rollback.

For example, *Saksi* focused last Aug. 13 on the price of Dubai crude since May 2008. Using several charts, it showed that despite the stability in the price of crude oil in May and August (after a price spike last June), the price of gasoline in the Philippines is still P9 higher and diesoline P15 higher as of Aug. 13.

Irrelevant news

JEERS TO *24 Oras* for airing irrelevant foreign news. Last Sept. 8, it reported that a family of bobcats is now living at the backyard of an abandoned house in California, USA. The report however did not explain the report's significance to its Filipino viewers. The report should have explained that the abandoned house reflects the current economic slump in the United States, and its implications to the local economy.

Reporting on health

CHEERS TO *24 Oras* for providing an informative report on epilepsy. Last Sept. 3, it aired a substantive report explaining epilepsy, possible treatments, and tips on how to respond when someone experiences an epileptic attack. ■

MONITOR

Focus on swine

CHEERS TO VERA Files for exposing the anomalies in the Quedan and Rural Credit Guarantee Corp. (Quedancor) Swine Program (QSP). Supported by documents and interviews, the three-part report was able to comprehensively explain how the swine program failed to serve as "the poor man's financing institution" and instead benefited several Quedancor and government officials.

VERA Files revealed that the failed lending scheme program is connected with the P728-million fertilizer controversy, with the involvement of former agriculture secretary Luis Lorenzo and agriculture undersecretary for finance and administration Jocelyn "Joc-Joc" Bolante ("Quedancor swine program another fertilizer scam," Sept. 1, <http://www.verafies.org/index.php/focus/114-quedancor-swine-program-another-fertilizer-scam>). The report also revealed that more than P3 billion have been lost in the program. VERA Files also had a report on the effect of the QSP on its "beneficiaries" ("Ruined Lives," Sept. 4, <http://www.verafies.org/index.php/focus/121-ruined-lives>).

The second and third parts of the series discussed how Quedancor employees and politicians stole from Quedancor and the QSP ("Politicians dip hands into Quedancor funds," Sept. 2, <http://www.verafies.org/index.php/focus/115-politicians-dip-hands-into-quedancor-funds> and "More flaws in P5B loan to Quedancor bared," Sept. 3, <http://www.verafies.org/index.php/focus/116-politicians-dip-hands-into-quedancor-funds>).

Crunching the numbers

CHEERS TO the Philippine Center for Investigative Journalism (PCIJ) for its number-crunching analysis of the country's domestic and foreign debts. Its Aug. 13 story showed that President Gloria Macapagal Arroyo has borrowed a record P3.54 trillion from 2001 to 2007, "making her the single biggest borrower among the post-Edsa presidents." The figure, according to PCIJ, is "more than twice the combined total borrowings of the three presidents before her." PCIJ also analyzed the debt-service payments as well as highly controversial deals under the current administration. ("Till debt do



Arroyo

LITO OCAMPO

us part?: Gloria's inglorious record: Biggest debtor, least popular", <http://pcij.org/i-report/2008/national-debt.html>)

Corruption in court

CHEERS TO *abs-cbnNews.com/Newsbreak* for discussing corruption at the Court of Appeals (CA).

In a three-part special published Sept. 9 to 11, the *abs-cbnNews.com/Newsbreak* reported that corruption in the judiciary is now common practice. It interviewed four retired CA justices, two active CA justices, and two retired Supreme Court justices, among others, to support that conclusion.

The special also discussed related issues such as the selection of candidates for judicial positions and issues regarding the June 2004 Code of Judicial Conduct.

The three-part report was posted following the Sept. 9 Supreme Court decision to dismiss a CA justice and to suspend four others.

Special guidelines

CHEERS TO *MindaNews* for examining the special guidelines for military operations during the holy month of Ramadan. *MindaNews* noted last Sept. 10 the six-point guideline for the pursuit of the "Lawless MILF (Moro Islamic Liberation Fronts) Group" issued by the Armed Forces of the Philippines (AFP) in observance of Ramadan ("War in a time of Ramadhan and whatever happened to the 2000 Code of Conduct?", http://www.mindanews.com/index.php?option=com_content&task=view&id=5140&Itemid=190). The report also looked at what happened to the Code of Conduct issued by former Defense Secretary Orlando Mercado at the height of the "all-out war" against the MILF in 2000. ■



■ By Kathryn Roja G. Raymundo

MOST JOURNALISTS are well aware of the problems that besiege the press community. In almost every press gathering, journalists are the first to acknowledge the vulnerability of the news media to various pressures and corruption.

The participants in the recently concluded Center for Media Freedom and Responsibility's (CMFR) ethics and public journalism seminar-workshop held from Aug. 29 to Sept. 1 in Clark, Pampanga were no exception. They were generally in agreement that economic, politi-

cal, and/or editorial pressures, as well as the inadequacy or even absence of professional and ethical training, have adversely affected the practice of journalism in the Philippines.

Central Luzon journalists have to juggle two or more jobs just to make ends meet, said the

FOURTH CITIZENS PRESS COUNCIL TAKES OFF

participants. Salaries are either too low, delayed, or both, if they get any at all. It is worse in some cases, when journalists get none and are instead expected to solicit ads for which they get commissions.

And yet the region is home to many media outlets, although too many are "volume one, only

one" (i.e., they publish for only a brief period to sway public opinion toward certain business or political interests).

Contractualization is the norm as far as working conditions are concerned. Journalists sometimes serve as sales or account executives to guarantee profits for the news organization.

Even without these complications, the journalist's responsibility to provide information is already difficult enough. Despite the guarantee of press freedom under Art. III, Sec. 4 of the 1987 Philippine Constitution, the media are often bound to the interests of powerful sectors in society rather than the public's. Many



The participants in CMFR's three-day seminar on ethics and public journalism agreed to establish a citizens press council in Central Luzon.

Photos by MELANIE Y. PINLAC

citizens are left clueless about the issues that affect their lives because of the media's failure to provide them the information they need.

The good news is that the participants in the seminar agreed to address these issues. At the culmination of the three-day seminar, these journalists agreed to establish a citizens press council (CPC) in Central Luzon.

Avenue for grievances

A CPC is a self-regulatory mechanism primarily meant to accept public complaints and to correct the media's professional and ethical lapses.

CMFR deputy director Luis V. Teodoro pointed out that press councils, of which the CPCs established and being planned by CMFR are a variation, are "mechanisms through which the public can seek redress for media abuse." Such councils can also correct and/or prevent further abuses. Teodoro said the mechanism helps strengthen press freedom in that not only does the press become more conscious of its ethical and professional responsibilities once such councils are in place, these councils also provide the public an alternative to going to the courts to resolve issues against the media.

The CPCs CMFR helped establish or whose organization CMFR is in the process of assisting, said Teodoro, address a weakness in the press council experience in the Philippines. Instead of representing only media organizations, they include civil society representatives as well as academics, who, in fact, constitute the majority in the already established Baguio, Palawan, and Cebu CPCs.

The CPC also empowers the public by making it an active participant in the process of making sure the media adhere to its own standards. CMFR executive director Melinda Quintos De Jesus explained the press has a function in the larger society and that the principles that govern its conduct must be understood by the public.

"The news media are the connecting mechanism for all the sectors of society to feel that they belong to a community and can converse with one another," said De Jesus.

Self-regulation needed

Both Teodoro and De Jesus noted the imperative of regulating the press, but emphasized that only self-regulation (of the press by the press) is acceptable in a press freedom regime because external regulation,



The three-day seminar also included a discussion on the state of the Philippine press.



The council would also serve as a vehicle through which the community could deepen its understanding of the news media as important factors in society

lic that the council would not be an "old boys' club" in which media practitioners will be protecting each other. This kind of membership would prove the openness of the press council to ordinary citizens who feel aggrieved by the media but who fear media stonewalling or reprisal. The council would also serve as a ve-

the region have responded positively to the idea of the RPC. Even some politicians are upbeat and expressed their support for its formation, although none of them will be part of the RPC.

The Philippine Star and *Mabuhay*'s Dino B. Balabo is the interim chair of the Central Luzon RPC. The coordinators and provincial representatives are the following:

- Aurora - Ariel P. Avendaño (*Manila Bulletin, Tempo*)
- Bataan - Balabo; Fred A. Villareal (*Luzon Banner, Central Luzon Daily*); and Tonette Orejas (*Philippine Daily Inquirer*)
- Bulacan - Carmela B. Reyes (*Philippine Daily Inquirer*)
- Nueva Ecija - Grace B. Doctolero (UNTV 37)
- Tarlac - Winifredo L. Luis (dwXT)
- Pampanga - Joey Aguilar (*Punto Central Luzon*)
- Zambales - Belen Figueras (*Tanod*)

De Jesus and Teodoro facilitated the three-day seminar-workshop prior to the meeting in which the participants agreed to the formation of the council. The seminar included sessions on media ethics and public journalism, as well as a discussion on the state of the Philippine press.

The Central Luzon RPC will be the fourth citizens press council to have been successfully established. In 2001, CMFR began meeting with different press communities in Cebu, Baguio, and Palawan to help them organize press councils that will receive complaints against the press from the residents of those areas.

The first of the three CPCs was the Cebu Citizens Press Council (CCPC), which was launched on May 5, 2002. In the same year, the Baguio Citizens Press Council and the Palawan Community Media Council were established on May 30 and June 8, respectively. Of the three press councils, CCPC has been the most active and most successful. It now takes a proactive role in institutionalizing reforms in the conduct of the press.

Central Luzon-wide activities

Before the proposed RPC assembly in October, the planned activities in the Central Luzon provinces include the formation of provincial CPCs; consultations with other journalists and sectors such as non-government organizations, academia, the church, and the legal community; and awareness campaigns to acquaint the public with the RPC and its role.

Several Central Luzon news organizations have published reports and background material on the formation of the Central Luzon RPC. The reports say that journalists and various sectors in

Participants in the seminar and signatories to the manifesto were: Aguilar, Peter Alagos (Central Luzon Business Week), Thony Arcenal (dzME, People's Tonite), Avendaño, Balabo, Doctolero, Arlan Fajardo (dzTC-TPRC), Figueras, Emil Gamos (People's Journal, Philippine News Agency), Jeffrey M. Gomez (CLTV 36), Eden G. Gutierrez (Central Luzon Daily), Luis, Lino Y. Magat (dzTC, Tarlac Press and Radio Club), Mark D. Manabat (Abante), Orejas, Bernie L. Rada (Radyo Natin, CLTV 36), Reyes, Christian C. Reyes (HiTech Cable TV), Grace B. Sansano (dzRH), Michael Santos (Sitio, Radyo Natin), Theofel Santos (dwIZ), Glenn Tabelisma (UNTV 37), Homer Teodoro (GMA News), and Villareal. ■

■ By JB Santos with reports from Edsel Van DT. Dura

TWO RECENT high-profile legal decisions not only reinforce the Arroyo government's policy of concealment and opaqueness. They also have dire implications for press freedom and practice.

The Supreme Court denied last Sept. 4 the motion for reconsideration of the Senate asking for the reversal of the former's decision upholding former economic planning secretary Romulo Neri's invocation of executive privilege on three questions asked during the Senate hearing on the National Broadband Network (NBN)-Zhong Xing Telecommunications Equipment Corp. (ZTE) controversy.

Eight days later, the Court of Appeals dismissed NBN-ZTE star witness Rodolfo Noel "Jun" Lozada Jr.'s petition for a writ of amparo.

The two decisions are "connected," in that both "make life difficult for media to get at the truth and therefore for the public to be served its right to know," *BusinessWorld* board chair Vergel Santos told *PJR Reports* in an interview last Sept. 19.

For Santos, the two decisions diminish media's sources of information. The Supreme Court's Neri decision emboldens government officials towards nondisclosure, while the Court of Appeals decision on Lozada discourages potential whistleblowers from disclosing sensitive government information.

"Sources would become more intimidated (when it comes to approaching the media), and be more selective on what they reveal, as they could find themselves in the same situation as Lozada, while government sources who may have been having some problems of conscience, or genuinely confused on whether it is right for them to speak to the media, would be dissuaded from doing so," said Santos, who also serves as a board member of the Center for Media Freedom and Responsibility (CMFR).

Secrecy versus disclosure

At its core, the Supreme Court decision is primarily centered on whether the Senate could force Neri to answer three questions:

- 1) whether President Gloria Macapagal Arroyo followed up on the NBN project;
- 2) whether or not Arroyo directed Neri to prioritize the project; and
- 3) whether Arroyo directed Neri to approve the project

after being told about the alleged P200-million bribe offered by former Commission on Elections chairman Benjamin Abalos.

When the Senate asked Neri, now president of the Social Security System, the three questions in a hearing on Sept. 26, 2007, Neri clammed up and invoked executive privilege. After refusing to attend subsequent hearings by citing executive privilege, Neri was cited in contempt by the Senate and was ordered arrested, at which point Neri sought relief at the Supreme Court by asking that the Senate order citing him in contempt and ordering his arrest be nullified.

Voting 9-6 last March 25, the Supreme Court upheld Neri's claim that the three questions are covered by executive privilege, and nullified the Senate's arrest order, stating that the latter committed grave



Lozada



Neri

Photos by LITO

THE LOZADA AND NERI DECISIONS AGAINST THE RIGHT TO KNOW

abuse of discretion in issuing it.

After the Senate filed a motion for reconsideration last April 8, the Supreme Court just the same sustained its earlier ruling, again voting 9-6, in a resolution last Sept. 4.

Justice Teresita Leonardo de Castro, in her majority decision granting Neri's petition, said that the presidential communications privilege, one of the types of executive privilege invoked by Neri, is "said to be necessary to guarantee the candor of presidential advisors and to provide 'the President and those who assist him...with freedom to explore alternatives in the process of shaping policies and making decisions and to do so in a way many would be unwilling to express except privately."

On the other hand, "customary partisanship and the absence of generally accepted rules on evidence" in the political branches of government were cited as reasons by the Supreme Court in denying the Senate's motion for reconsideration.

Amid the muddle of legal jargon, however, the case may be summed up as a collision between interests favoring secrecy, and interests favoring disclosure.

Supreme Court Chief Justice Reynato Puno, in his 88-page dissenting opinion on the decision granting Neri's petition, described the doctrine of executive privilege as the "tension between disclosure and secrecy in a democracy."

Compromising press capacity

With the Supreme Court favoring disclosure over secrecy, the capacity of the press to gather and disseminate



Arroyo



Supreme Court

nate information may have been severely compromised.

"The interests of the press run parallel to the interest of the Senate in calling for disclosure. Since the Supreme Court upheld executive privilege, one could already see that the effect also runs adverse to the press," said lawyer Jay Deajeresco, legal counsel of provincial papers *Negros Chronicle* and *Bohol Chronicle*.

Amando Doronila, in his April 7 *Philippine Daily Inquirer* column "Neri decision a rollback of Philippine democracy," also condemned the decision in light of the deteriorating political liberties under the present administration.

"The ruling reinforced executive power at a time when it needs to be checked, when it shows an



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increasing tendency to invoke state security to clamp down on political liberties of opposition and civil society groups whose calls for regime change were often tagged as extra-constitutional plots to overthrow the administration," Doronila said.

"The consortium (sic) between the executive and the Supreme Court in cementing the doctrine of the primacy of an all-powerful executive in a democratic state is a lethal combination with antidemocratic consequences," Doronila added.

The spillover effect of the Supreme Court's upholding of executive privilege in the Neri case could also affect other investigations. According to the March 21 *Inquirer* column of Fr. Joaquin Bernas, S.J. it is "a dangerously crippling decision"

Such setbacks call for not only a reorientation but reinvention of journalism for our environment— Santos

sion" that may also "hamper effective use of the recently promulgated writ of amparo and writ of habeas data." Like Santos, Bernas also serves as a CMFR board member.

Lawyer Nepomuceno Malaluan, trustee of the Action for Economic Reforms and co-convenor of the Access to Information Network, said that a "recognition of executive privilege of this kind could be invoked in different circumstances, like if the writ of amparo will require looking into certain documents or facilities."

Malaluan told *PJR Reports* last Sept. 16 that "the burden of proof now shifts to the person asking for information, like a journalist, to prove that there is a compelling interest (for the disclosure of information)."

Journalists trying to obtain government documents, or asking a source to speak on a sensitive topic, may be affected as government officials could be expected to invoke executive privilege more often.

"The impact is really substantial. Investigative reporting as well as day-to-day beat reporting (may be affected)," Malaluan said.

Such setbacks in obtaining state-held information were already evident in recent years under the current administration. No doubt Malacañang leads government institutions in putting up barriers to block public access to information, wrote veteran journalist Yvonne Chua in *PJR Reports* in Sept. 2006. The policies the administration adopted, she added, "hardly augur an atmosphere of transparency."

Substantial evidence'

The Court of Appeals ruling dismissing Lozada's petition for an issuance of a writ of amparo may also have a substantial impact on the press and the public not only by discouraging potential whistleblowers from coming out, but also by making it harder for petitioners to avail of the writ of amparo.

Lozada's brother Arturo initially asked for the issuance of a writ of amparo after Lozada was

ASSAULT ON THE PUBLIC'S RIGHT TO KNOW

(<http://cmfr-phil.blogspot.com/2008/09/cmfr-statement-assault-on-publics-right.html>)

THE SUPREME Court's affirmation of its March 25 decision in favor of executive privilege undermines the public interest function of the press to provide information to a citizenry that has a right to it on matters of public concern. Even more dangerously it also erodes the democratic imperative of transparency in governance.

By expanding the coverage of executive privilege to include communications authored or solicited and received by a presidential adviser, in this case then National Economic and Development Authority Director General Romulo Neri, the Court has legitimized government secrecy to an extent yet to be established by practice.

The Court also affirmed that executive privilege includes information on presidential decisions as well as the materials that were discussed prior to those decisions, thus enabling the president and/or his/her advisers to use executive privilege to conceal information on corruption and other forms of official wrongdoing from the Senate, the press, and the public.

The impact on the public's right to know and on the basic responsibility of the press to provide such information is obvious. But it is equally relevant to the health and future of democracy. If no information can be obtained because of executive privilege, then no information vital to the exercise of the sovereign right of the people in a democracy to decide on policy and other governance issues can be made available.

Oddly in conflict with the impending passage of a bill on public and press access to government information, the decision also strikes at the heart of the imperative for transparency in the affairs of a government in which corruption has so metastasized that it now afflicts it from top to bottom. Vital in the fight against corruption, transparency is the only weapon available to citizens to assure honesty in governance. By in effect providing the legal basis for the de facto reversal of that policy, the court has made that fight even more difficult and problematic.

To meet the challenge posed by the expansion of executive privilege, journalists will have to exert greater efforts to get at the truth of government transactions, policies and actions. As in the dying days of the Marcos regime, the need of the hour is for a journalism firmly committed to the truth-telling necessary in a democracy and vital to a sovereign people's capacity to hold governments accountable. We call on our colleagues in the press to transcend through practice that's both vigilant as well as responsible the limits the Supreme Court decision has imposed on the public's right to information. ■



Pavia



Santos

the Philippines College of Law, said in his Sept. 19 *Inquirer* column.

The change may affect future amparo petitions by journalists, especially provincial journalists, who are threatened or attacked, or subjected to other forms of intimidation in the course of their work.

A similar setback was in fact experienced by a media practitioner last June 27. The request for a writ of amparo by Oriental Mindoro-based journalist Nilo Baculo was denied by the Court of Appeals for being "unsubstantiated". Baculo, who requested the issuance of the writ of amparo after knowing of a plot to kill him, was the first journalist to apply for the writ.

Challenge

According to Santos, such setbacks call for "not only a reorientation but reinvention of journalism for our environment."

The difficulties with which journalists have to contend with in obtaining information, as well the uncertainty of having protection when journalists are threatened, makes it inapplicable to practice traditional journalism – undermining the capacity and responsibility of the press to monitor governance and possible abuse of power by government officials.

"Journalism as practiced in a free society does not apply here because it's no longer a free society," Santos said.

Santos said that one change that could be implemented is for journalists to engage in "reasoned speculation" because "sourcing of information for the media has been constricted." Santos said that such a change may be difficult as it requires higher levels of expertise.

Philippine Press Institute executive director Jose Pavia, however, said that the media, in light of mounting difficulties, should be more enterprising in their work.

"One really needs to work harder by going through alternative means of securing information," Pavia said.

"Though maybe it does make the work harder, it does not mean that we cannot anymore do our job. It's a challenge."

As the CMFR statement declared: "To meet the challenge posed by the expansion of executive privilege, journalists will have to exert greater efforts to get at the truth of government transactions, policies and actions. As in the dying days of the Marcos regime, the need of the hour is for a journalism firmly committed to the truth-telling necessary in a democracy and vital to a sovereign people's capacity to hold governments accountable." (see sidebar) ■

LOW PAY, LONG HOURS KILLING THEM SOFTLY

■ By Melanie Y. Pinlac

SAYING JOURNALISTS "are being slowly killed by low salaries, and dismal working conditions like long working hours and lack of job security and benefits," delegates to the 6th National Congress of the National Union of Journalists of the Philippines (NUJP) called for better wages and benefits for media practitioners.

The NUJP held its 6th National Congress last Aug. 23 to 24 with the theme "Breaking Barriers, Building Strength" at the Catholic Bishops Conference of the Philippines-National Social Action Development Center in Tagaytay City. More than 50 journalists from 32 NUJP chapters nationwide attended the event.

"We call on owners of newspapers, radio and television stations, and online news sites to improve the working conditions of their staff by granting humane wages, providing transportation and communication allowances and other subsidies. We urge them to ensure the job security of all their staff by regularizing correspondents or stringers, con-

tractual employees and 'talents' who comprise the bulk of media workers," the journalists said in a statement.

During the plenary session, delegates suggested the creation of a media welfare fund and a radio program to address issues of press freedom and journalists' rights and welfare. They also proposed the formation of a legislative watch to follow up bills on media pending in Congress and an annual press freedom award.

The NUJP also elected its National Directorate for 2008-2010. Elected were: Alwyn Alburo (GMA-7); Julie Alipala (*Philippine Daily Inquirer*); Nestor Burgos (*Inquirer*); Desiree Caluza (*Inquirer*); Jaime Espina (*Inquirer*).



NUJP officers take their oath

JEFFREY TUPAS

net); Sonny Fernandez (ABS-CBN 2); Cheryll Fiel (*Davao Today*); John Heredia (*Capiz News Today*); Danny Lucas (ABS-CBN 2); Arnell Ozaeta (dzMM and *The Philippine Star*); Rowena Paraan (IFJ-NUJP Media Safety Office); Ilang-Ilang Quijano (*Pinoy Weekly*); Marlon Ramos (*Inquirer*); May Rodriguez (freelance journalist); and Jose Torres Jr. (*GMA News.TV*).

Torres was again named chair of the executive committee. Other executive committee members are: Burgos, vice chair; Fernandez, secretary general; Ramos, deputy secretary general; Paraan, treasurer; and Alburo, auditor. ■

CHALLENGE TO THE MEDIA CIVIL SOCIETY INITIATIVES FOR 2010 BEGIN

■ By Kathryn Roja G. Raymundo

RECENT POLITICAL and socio-economic developments have highlighted the importance of the country's preparedness for 2010, when the term of President Gloria Macapagal Arroyo ends and citizens once more go to the polls in the national and local elections scheduled for that year.

What is encouraging is that civil society has already begun laying the groundwork to enhance voter awareness in addressing the problems and issues that affect Philippine governance and politics. The various groups involved are calling on the press to provide the public the meaningful information it needs and to help civil society's advocacy for meaningful elections.

Not only regular reporting but in-depth coverage and analysis during elections as well as between elections, help voters decide who to vote for, and in the long run help shape, though indirectly, the policy-making and implementing institutions of the country.

Learning from experience

Pera't Pilitika (Money and Politics/PaP), a poll campaign-spending monitoring group, fired the first salvo in the campaign to awaken and enhance interest in the 2010 elections. The PaP study "Money and Politics: Campaign Spending in the 2007 Elections, A Challenge to 2010 Elections" found that some of the politicians gunning for the presidency in

2010 may have violated election rules during their 2007 campaign.

The study said three out of eight incumbent senators who ran in 2007 may have broken salient provisions of Philippine laws on campaign finance, among them the Synchronized Election Law, the Fair Election Act, and the Omnibus Election Code of the Philippines.

The three senators are Manuel "Manny" Villar Jr., Lorna Regina "Loren" Legarda, and Francis Joseph "Chiz" Escudero. All are reportedly interested in running for the Presidency in 2010.

While these findings provide information vital to the credibility of Villar and company, the study also had a wider implication. Covering both the national (senatorial and party list groups) and local (four areas: Navotas, Pasig, 4th district of Quezon City, and Langiden, Abra) campaigns, the study found there was significant overspending in the 2007 electoral contests as a whole, indicating that elections continue to be an economic investment for candidates—and suggesting that money still rules and undermines an exercise basic to democratic governance.

PaP was correctly critical of the Commission on Elections' (Comelec) weak implementation of election laws and identified several areas where reforms can be proposed and considered by policy makers. PaP thus called on the Comelec to strictly monitor and enforce laws on campaign spending and use of media, and to issue a policy that would declare and ensure that all campaign and election documents would be made public.

PaP's 2007 study on campaign spending is a pilot test in preparation for a larger monitoring initiative in 2010. PaP is a network of civil society organizations that aims to raise public awareness of campaign finance and its links to political corruption. PaP's working group includes the Access to Information Network, the Consortium for Electoral Reforms, the Lawyers' League for Liberty, Transparency and Accountability Network, and University of the Philippines (UP) public administration professor Dr. Edna Co and her team of analysts.

Co, faculty member of the UP National College of Public Administration and Governance and the Ateneo School of Government said, "Will we allow this (overspending) to happen again in 2010? We hope not."

Clean and genuine elections

In another assembly, the Commission on Human Rights of the Philippines (CHRP) and

the non-government organization Task Force 2010 held a forum and workshop on "Ensuring the Right to Electoral Participation: Giving Access to Vulnerable Sectors in 2010" to address the human rights implications and other concerns regarding the 2010 elections. The assembly sought to identify and solve the numerous situational and physical constraints that contribute to the disenfranchisement of vulnerable sectors of Philippine society.

These sectors are: first-time voters/youth, internally displaced people, indigenous communities, detainees, differently-abled people, and the elderly.

CHRP and Task Force 2010 are promoting a rights-based approach in electoral participation supportive of the people's right to suffrage and self-determination.

The objectives of the forum were to raise awareness on the problems of vulnerable sectors in the exercise of their right to political participation; to provide the latest information on the sectors and point out gaps that need to be addressed for their greater electoral participation; to hold consultations with various stakeholders; to bring to the attention of concerned government agencies and policymakers the issues identified by the sectors and raise accountability; and to ob-

tain inputs from the representatives of the vulnerable sectors and other stakeholders.

CHRP Chair Leila De Lima emphasized the significance of voter education to improve the electoral process.

"When we vote...we assert our right over governance of the State," Lima said.

Both CHRP and Task Force 2010 called for cleaner and genuine elections. The CHRP believes honest and fair elections contribute to the development of a political environment conducive to the respect, protection, and fulfillment of human rights. Task Force 2010 also launched its campaign to clean and verify the voter's list for the forthcoming elections.

The Washington, DC-based International Foundation for Electoral Systems (IFES) supported the PaP and CHRP initiatives.

The media's role

As part of its 2004 and 2007 monitor of media coverage of the elections, the Center for Media Freedom and Responsibility recommended that the press, with the help of civil society and media advocacy groups, uphold its own ethical and professional standards; intensify coverage through special reports and public affairs programs; and provide reporters training in the laws, processes, and other intricacies of electoral politics. ■

NEEDED: JOURNALISTIC BLOGGING

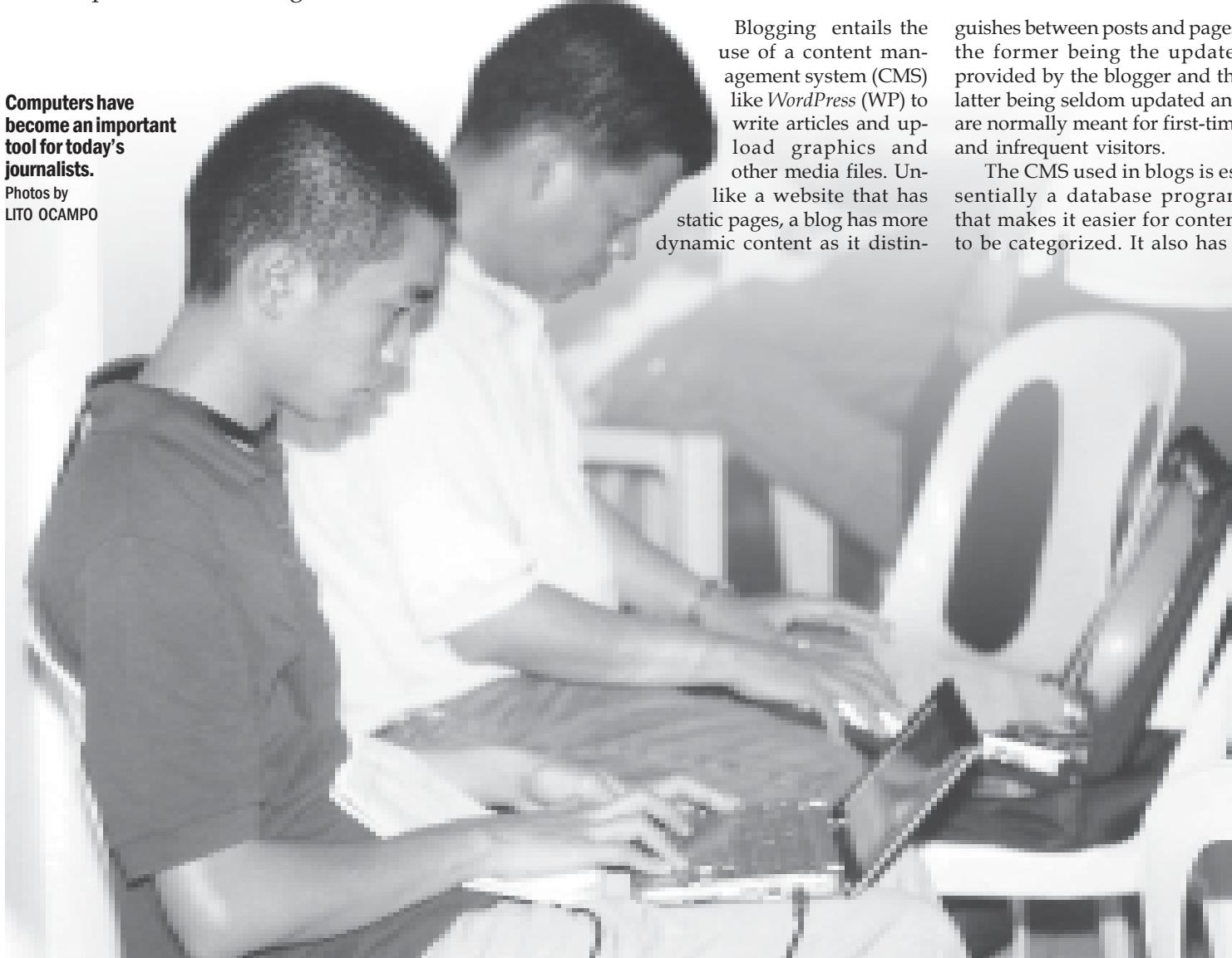
■ By Danilo Araña Arao

BLOGGING AND Journalism. The use of the word "and" is meant to highlight the complementation of the two instead of the adversity reflective of the tension between old and new media.

Journalism is all about providing relevant information with the objective of shaping public opinion. It adheres to professional and ethical guidelines in the writing and production of various journalistic outputs. Examples of professional standards are the "ABCs of journalism," namely accuracy, brevity, and clarity. A basic ethical guideline in writing and producing journalistic outputs is truth-telling.

Computers have become an important tool for today's journalists.

Photos by
LITO OCAMPO



Blogging entails the use of a content management system (CMS) like *WordPress* (WP) to write articles and upload graphics and other media files. Unlike a website that has static pages, a blog has more dynamic content as it distin-

guishes between posts and pages, the former being the updates provided by the blogger and the latter being seldom updated and are normally meant for first-time and infrequent visitors.

The CMS used in blogs is essentially a database program that makes it easier for content to be categorized. It also has a

Really Simple Syndication (RSS) feature that can allow online users to read, watch or listen to media content even without an Internet browser and going to the blog's URL.

In terms of content, bloggers are usually their own gatekeepers, which means that they are left on their own to decide what content to upload. The practice is different in journalism, where media organizations have a "gatekeeping function"—editors screen what reporters, photographers, and illustrators produce. There are even cases where owners and publishers meddle with media content. In addition, advertisers and other interest groups directly or indirectly pressure journalists in their attempt to promote their respective agendas.

At first glance, bloggers have an advantage over journalists whose works are screened by others and subjected to various pressures. This particular advantage, however, means more responsibility for the blogger to be certain about the content shared with his or her readers. Unlike journalists, bloggers usually do not have editors to evaluate the form and content of their outputs.

There is nothing wrong and many things right with editors constructively screening journalists' work. It helps improve the quality of the latter. However, pressures exerted by advertisers and other interest groups are counterproductive in the practice of the journalism profession.

This is where the independence enjoyed by bloggers should be appreciated. They do not usually have to deal with the politics that goes with maintaining and sustaining print and broadcast media organizations.

Blogging for Journalism

The mass media have three major fields: Journalism; Advertising and Public Relations (PR); and Entertainment. The content of blogs as part of the new media may also be classified according to these three major fields.

What is necessary for bloggers is for them to know and to put into practice what their purpose in blogging is. Are they blogging mainly to provide relevant information and social commentaries (journalism); to promote products and services (advertising and PR); or to give pleasure to audiences (entertainment)?

The classifications for



Multimedia reporting in today's Internet age

bloggers are not necessarily mutually exclusive, so this means that blog entries can have a healthy mix of "serious" and "light" topics. What is necessary is for the blog's focus or niche to be apparent to the online user. And this cannot be done if the blogger himself or herself is not sure of the nature and orientation of his or her blog.

It is not advisable to use blogs, *even the personal ones*, only as venues for expressing personal rants, unfounded accusations, subjective observations and existential angst. As pointed out in "A Bloggers' Code of Ethics" which can be retrieved from *CyberJournalist.net*, "responsible bloggers should recognize that they are publishing words publicly, and therefore have certain ethical obligations to their readers, the people they write about and society in general."

Blogger Scott Rosenberg said that the difference between blogging and journalism is a graph and not a line. To be specific, he said that it is a classic four-quadrant graph. "There's an X axis from 'not blogging at all' to 'blogging all the time' and there's a Y axis from, say, 'writes the equivalent of a private diary' to 'writes exclusively about public affairs.'"

The issue, however, between the two is very fundamental: Why is there a need to draw the line between blogging and journalism, or even a graph to illustrate their difference? What is necessary is to analyze blogging and journalism along the lines of responsibility. This is where the professional and ethical standards would come in handy.

Blogging may be only a hobby or a passing fancy for some, but all bloggers should be responsible for whatever media content is uploaded in his or her blog

Of course, one can counter-argue that irresponsible bloggers are usually the ones who become popular as they generate substantial Web traffic. There is no denying that one grammatically-challenged blogger got substantial media mileage for his blog entries that accused his lover of stealing from him, and other personalities of engaging in depravity. (As of this writing, the controversial blog has an Alexa traffic ranking of about 125,000 and a Google PageRank of 3.)

There is a need, however, to rethink one's purpose in blogging. In a Sept. 8 post I wrote for my blog *Rising Sun*, I asked, "Is it simply to get attention or to shape public opinion? Is it to engage in shameless promotion or to provide relevant information? Is it mainly to monetize or primarily to conscientize?"

Adherence to standards

What is crucial in blogging is adherence to standards and the conscious effort to be responsible for the media content bloggers

write and produce. Blogging may be only a hobby or a passing fancy for some, but *all* bloggers should be responsible for whatever media content is uploaded in his or her blog.

Journalism ethics comes into the picture as this is the oldest and most developed in the field of media ethics. That *CyberJournalist.net* created the model "Bloggers' Code of Ethics" based on the Society of Professional Journalists (SPJ) Code of Ethics illustrates this point. A textual analysis of the specialized "Healthcare Blogger Code of Ethics" (for healthcare professionals and patients who blog) also shows elements from journalistic practice.

Bloggers must not therefore misinterpret the repeated citation of journalism standards as an imposition from journalists as to how writing and the production of media content should be done. It is also *non-sequitur* for bloggers to raise the problems surrounding media organizations (e.g., corruption and irresponsible reporting by some journalists) in their refusal to adhere to a journalism-based code of ethics like *CyberJournalist.net*'s.

Contrary to what a blogger once wrote, this is not a case of the pot calling the kettle black. Just because there is a weakness in the observance of acceptable standards in journalism does not give bloggers the reason to refuse adherence to acceptable standards. In the first place, why should the quality of blogging be dependent on the quality of the journalism profession in the country?



A BLOGGERS' CODE OF ETHICS

from <http://www.cyberjournalist.net/news/000215.php> (15 April 2003)

Be Honest and Fair

Bloggers should be honest and fair in gathering, reporting, and interpreting information.

Bloggers should:

- Never plagiarize.
- Identify and link to sources whenever feasible. The public is entitled to as much information as possible on sources' reliability.
- Make certain that Weblog entries, quotations, headlines, photos and all other content do not misrepresent. They should not oversimplify or highlight incidents out of context.
- Never distort the content of photos without disclosing what has been changed. Image enhancement is only acceptable for technical clarity. Label montages and photo illustrations.
- Never publish information they know is inaccurate—and if publishing questionable information, make it clear it is in doubt.
- Distinguish between advocacy, commentary and factual information. Even advocacy writing and commentary should not misrepresent fact or context.
- Distinguish factual information and commentary from advertising and shun hybrids that blur the lines between the two.

Minimize Harm

Ethical bloggers treat sources and subjects as human beings deserving of respect.

Bloggers should:

- Show compassion for those who may be affected adversely by Weblog content. Use special sensitivity when dealing with children and inexperienced sources or subjects.
- Be sensitive when seeking or using interviews or photographs of those affected by tragedy or grief.
- Recognize that gathering and reporting information may cause harm or discomfort. Pursuit of information is not a license for arrogance.
- Recognize that private people have a greater right to control information about themselves than do public officials and others who seek power, influence or attention. Only an overriding public need can justify intrusion into anyone's privacy.
- Show good taste. Avoid pandering to lurid curiosity. Be cautious about identifying juvenile suspects, victims of sex crimes and criminal suspects before the formal filing of charges.

Be Accountable

Bloggers should:

- Admit mistakes and correct them promptly.
- Explain each Weblog's mission and invite dialogue with the public over its content and the bloggers' conduct.
- Disclose conflicts of interest, affiliations, activities, and personal agendas.
- Deny favored treatment to advertisers and special interests and resist their pressure to influence content. When exceptions are made, disclose them fully to readers.
- Be wary of sources offering information for favors. When accepting such information, disclose the favors.
- Expose unethical practices of other bloggers.
- Abide by the same high standards to which they hold others.

Bias for information

Even if blogs can serve journalistic, advertising, and entertainment functions, it is necessary for bloggers to have a bias for providing relevant information towards the shaping of public opinion. The situation in the Philippines compels *all* citizens to do their share in nation-building.

Regardless of their beliefs, bloggers should maximize the opportunity by engaging in what can be aptly described as "journalistic blogging." They should regularly provide fair commentary to what is happening in Philippine society and encourage other bloggers to follow suit.

Journalistic blogging could be in the form of actual coverage of events or personal reflections. The latter can be considered journalistic outputs as long as proper context is provided and the factual bases of commentaries are provided in order to avoid subjective tendencies in writing.

Participation in the annual "Blog Action Day" (<http://blogactionday.org>) can be a good start. Incidentally, the theme for 2008 is poverty, a very appropriate topic for the Philippines.

Being relevant is a good way for bloggers to make a difference in society. While the Internet has limited reach, online users in the Philippines and abroad can still be made aware of what is happening through informative blog entries.

Through the years, relevant blog posts have even been picked up by media organizations. Traditional media coverage can help a lot in spreading the blogger's intended message. The blog of Salam Pax ("Where is Raed?"; http://dear_raed.blogspot.com) who wrote from Baghdad during the Iraq war in 2003 is a good case study. Journalist Paul Andrews said that Salam's "blogged observations from Iraq provided some of the best eyewitness reporting during the war."

Indeed, the prospects of being quoted by the media should motivate bloggers to make their posts more informative and meaningful to their readers.

Regulating the blogosphere

Outputs from blogging and the journalism profession are part of the public domain, hence the need for bloggers and journalists alike to adhere to acceptable professional and ethical standards.

One does not need to reinvent the wheel, so to speak, as there is already "A Bloggers' Code of Ethics" from *CyberJournalist.net*. One can review its contents and make the necessary revisions to make



Journalist covering a roundtable discussion

it applicable to blogging in an underdeveloped country like the Philippines, mindful also of latest blog-related developments like micro-blogging, podcasting and vlogging (video blogging), as well as issues that affect media content like paid links and sponsored posts.

By adhering to standards, bloggers can re-assess the implications of depending mainly on search engine optimization (SEO) methods like "link farming" and "keyword stuffing" in producing media content. In terms of design and layout, they will also realize why it is unethical to monetize blogs through advertisements pack-

aged as part of media content.

Just like the journalism profession, self-regulation is the key to responsible blogging as legislating (and therefore imposing) ethical and professional standards in blogging could eventually lead to government censorship which is unacceptable in a regime of free expression.

Independent blog monitoring is an excellent way to self-regulate the blogosphere. It can highlight responsible and irresponsible cases of blogging, particularly among blogs that enjoy high traffic and popularity. Indeed, an objective assessment of the quality of selected blog entries is lacking in the Philippines (the name

HEALTHCARE BLOGGER CODE OF ETHICS

from <http://medbloggercode.com/the-code> (31 July 2007)

1. Clear representation of perspective - Readers must understand the training and overall perspective of the author of a blog. Certainly bloggers can have opinions on subjects outside of their training, and these opinions may be true, but readers must have a place to look on a blog to get an idea of where this author is coming from. This also encompasses the idea of the distinction between advertisement and content. *This does not preclude anonymous blogging*, but it asks that even anonymous bloggers share the professional perspective from which they are blogging.

2. Confidentiality - Bloggers must respect the nature of the relationship between patient and medical professionals and the clear need for confidentiality. All discussions of patients must be done in a way in which patients' identity cannot be inferred. A patient's name can only be revealed in a way that is in keeping with the laws that govern that practice (HIPPA, Informed Consent).

3. Commercial Disclosure - the presence or absence of commercial ties of the author must be made clear for the readers. If the authors are using their blog to pitch a product, it must be clear that they are doing that. Any ties to device manufacturer and/or pharmaceutical company must be clearly stated.

4. Reliability of Information - citing sources when appropriate and changing inaccuracies when they are pointed out.

5. Courtesy - Bloggers should neither engage in personal attacks nor allow their commenters to do so. Debate and discussion of ideas is one of the major purposes of blogging. While the ideas people hold should be criticized and even confronted, the overall purpose is a discussion of ideas, not those who hold ideas.



Alecks Pabico, online manager and multimedia director of the Philippine Center for Investigative Journalism, at i-Blog 3, an annual blogging conference. The fourth i-Blog Summit was held last April.

wIDGET on their blog's sidebar.

Independent monitoring and assessment of blog content, if done effectively, could be helpful for newbies to know which practices are worth emulating and rejecting. The more established bloggers, on the other hand, could be motivated to serve as good examples to others.

There is much that bloggers can learn from the responsible practice of the journalism profession, in the same way that journalists should use blogs as an integral part of disseminating their intended message by maximizing the convergence characteristic of the new media.

Blogs, after all, must not be dismissed as simple personal journals. In the right hands, they can be powerful tools in the shaping of public opinion. ■

Danilo Araña Arao is an assistant professor at the Department of Journalism of the University of the Philippines in Diliman where he teaches ethics, online journalism, and publication design and layout, among other courses. The writer adapted this commentary for the PJR Reports from his lecture on blogging and journalism at WordCamp Philippines 2008.

NATIONAL**SC upholds guilty verdict against columnist**

THE SUPREME Court affirmed last Sept. 16 the guilty verdict on a 1999 libel case filed by a customs official against a columnist, three editors, and the publisher of a popular Manila-based tabloid.

The Supreme Court's Second Division denied the petitions filed by columnist and broadcaster Erwin Tulfo, editors Susan Cambri, Rey Salao, Jocelyn Barlizo, and Carlo Publishing House Inc. president Philip Pichay asking for the reversal of the Court of Appeals decision to uphold their conviction for libel in a complaint by lawyer Carlos So. So was an official of the Bureau of Customs Intelligence and Investigation Service at the Manila's Ninoy Aquino International Airport.

The decision followed one in which the Court allowed a lower court to hear against a libel case filed in 1996 against the Manila broadsheet *Philippine Daily Inquirer*.

The Court also denied in Sept. 2008 a petition filed by *Inquirer* publisher Isagani Yambot, editor in chief Letty Jimenez Magsanoc, and correspondents Teddy Molina and Juliet Pascual to stop the Vigan Regional Trial Court (RTC) from hearing a libel case filed against them by lawyer Raymundo Armovit in 1996.

The 1996 libel charges against the *Inquirer* are based on articles implying that Armovit hid his client Rolito Go when the latter escaped during his trial for the killing of a student. Go was later convicted.

In the Tulfo case, So sued after Tulfo accused him of corruption and extortion several times in his "Direct Hit" column in the tabloid *Remate* in 1999.

On Nov. 17, 2000, the Pasay City RTC Branch 112 found Tulfo, Cambri, Salao, Barlizo, and Pichay guilty of four counts of libel.

The group appealed the decision before the Court of Appeals. But the Court denied their appeal on June 17, 2003 as well as their motions for reconsideration on Dec. 11, 2003. They then filed a petition for review before the Supreme Court.

Tulfo and the other defendants argued in their separate petitions that both the appellate court and the Pasay City RTC "erred" in their decision holding them liable of criminal libel. Tulfo argued that the RTC should have classified his articles under "qualified privileged communication" since So is

a public official, while the editors and Pichay questioned their inclusion in the case.

The Supreme Court in its 31-page decision penned by Associate Justice Presbitero Velasco Jr. explained the articles "cannot be considered as qualified privileged communication" since it did not meet the standard under the second paragraph of Article 354 of the Revised Penal Code.

"The articles clearly are not the fair and true reports contemplated by the provision. They provide no details of the acts committed by the subject, Atty. So. They are plain and simple baseless accusations, backed up by the word of one unnamed source. Good faith is lacking, as Tulfo failed to substantiate or even attempt to verify his story before publication. Tulfo goes even further to attack the character of the subject...even calling him a disgrace to his religion and the legal profession," the decision said. So is a member of the religious organization Iglesia ni Cristo.

The Court also said that "(t)his is no case of mere error or honest mistake, but a case of a journalist abdicating his responsibility to verify his story and instead misinforming the public."

However, the Court amended the earlier penalties imposed by the Pasay City RTC on the defendants. The RTC had earlier ordered the defendants to pay P800,000 in actual damages, P1 million in moral damages, and an additional P500,000 in exemplary damages. They were also sentenced to serve six months to four years and two months in prison for each count of libel.

"Freedom of expression as well as freedom of the press may not be unrestrained, but neither reined in too harshly. In light of this, considering the necessity of a free press balanced with the necessity of a responsible press, the penalty of a fine of P6,000 for each count of libel, with subsidiary imprisonment in case of insolvency, should suffice," the SC decision said.

It said that the provision for actual damages has no basis. "There was no showing of any pecuniary loss suffered by the complainant Atty. So. Without proof of actual loss that can be measured, the award of actual damages cannot stand." The fine for exemplary damages is also "not justified."

Another petition denied

The *Inquirer* reported that Yambot, Magsanoc, Molina, and Pascual had earlier petitioned for the withdrawal of the 1996 libel charges against them after the

regional state prosecutor overturned the earlier indictment by the Ilocos Sur provincial prosecutor in 1997. But Vigan RTC Branch 21 Judge Francisco Ranches—and later the appellate court—ruled that there was probable cause for the filing of the libel charges.

Yambot, Magsanoc, Molina, and Pascual brought their case before the Supreme Court. The Court's Third Division upheld in September 2008 the appellate court's decision.

The Court said it could not act on the other issues raised by Yambot, Magsanoc, Molina, and Pascual.

The Center for Media Freedom and Responsibility has called for the decriminalization of libel since the early 1990s. *BusinessWorld* reports that the Senate is "crafting a bill that seeks to distinguish libel against a private person and a public officer."

The bill amending Articles 354 and 361 of the Revised Penal Code will "scrap the fine of imprisonment only for political libel," Sen. Richard J. Gordon, chair of the committee on constitutional amendments, revision of codes and laws, told *BusinessWorld*.

"If a politician is attacked, presumption of malice is no longer there. Malice should now be proven by the prosecution," he explained.

CA reverses decision on libel case

SAYING IT would have "a devastating and catastrophic effect on the freedom of speech and of the press," the Court of Appeals (CA) reversed last Aug. 28 its March 18 decision which upheld a guilty verdict for libel on the staff members of a defunct newspaper.

The CA's Special Former 15th Division in its 10-page decision granted the petition filed by the staff members of the defunct newspaper *Manila Chronicle* asking the appellate court to reconsider its March 18 decision which upheld a 2002 Makati Regional Trial Court (RTC) ruling ordering them to pay businessman Alfonso Yuchengco P101 million worth of damages and legal fees.

The appellants-respondents included The *Manila Chronicle* Publishing Corp., owner Robert Cuyuito Jr., and editors and reporters Neal Cruz, Ernesto Tolentino, Noel Cabrera, Thelma San Juan, Gerry Zaragoza, Donna Gatdula, Raul Valino, and Rodney Diola.

The *Chronicle* filed a motion for reconsideration before the CA questioning the Nov. 8 decision

of Makati RTC Branch 136 finding them guilty of libel. The libel case stemmed from a series of articles published in November and December 1994 in the *Chronicle* calling Yuchengco a "Marcos crony" and a "corporate raider" who engaged in dubious financial transactions." The *Philippine Journalism Review* reported about the case in its December 2002 issue.

In its March 18 decision penned by Associate Justice Agustin Dizon, *GMA News.TV* reported that the appellate court denied the *Chronicle*'s motion for reconsideration, saying there was a "preponderance of evidence" to prove there was actual malice in the publication of the articles. It also said the newspaper failed to get Yuchengco's side, and that Cuyuito abused his power as chair and owner of the *Chronicle* to publish defamatory reports against Yuchengco.

But the CA's Special Former 15th Division in its Aug. 28 decision said it found no actual malice in the articles. "The records are bereft of proof of actual malice on the part of the defendants-appellants for the imputations made in the subject articles," said the decision penned by Associate Justice Amelita Tolentino as quoted by the newspaper *The Manila Times*.

It also recognized that the previous decision put aside the appellants' arguments that the articles fell under privileged communication as stated in the Constitution and that its subjects are of public interest, the *Times* reported. The *Chronicle* reports involved publicly listed companies like the Benguet Corp., the Oriental Petroleum and Mineral Resources Corp., and the Rizal Commercial Banking Corp.

It further noted that the March 18 ruling neglected to note that Yuchengco is a public figure who has served in various government posts, the *Malaya* newspaper said. Yuchengco has been the presidential adviser on foreign affairs since January 2004.

The CA explained that this makes "good intention and justifiable motive" and truth acceptable defense, *Malaya* reported. "The interest of society and maintenance of good government demand a full discussion of public affairs. Complete liberty to comment on the conduct of public men is a scalpel in the case of free speech," the decision pointed out.

Publisher jailed for libel

THE PUBLISHER of a known anti-government broadsheet was

arrested last Sept. 4 for libel, while another publisher's libel conviction was affirmed after a judge denied her motion for reconsideration.

Amado Macasaet, publisher of the daily newspaper *Malaya* as well as the tabloid *Abante*, was arrested for a nine-year old libel case by operatives of the Criminal Investigation and Detection Group (CIDG) of the Philippine National Police at his office in Port Area, Manila.

Macasaet is also the president of the Philippine Press Institute as well as director of Samahang Plaridel, an organization of veteran journalists and communicators.

Makati Regional Trial Court Branch 59 Judge Winlove Dumayas meanwhile denied the motion for reconsideration filed by Ninez Cacho Olivares asking the former to overturn his earlier decision convicting Olivares of libel.

Olivares, publisher of *The Daily Tribune*, another critical broadsheet, said she and her lawyers will bring the case to the Court of Appeals.

Dumayas had sentenced Olivares to a minimum of six months to a maximum of two years in prison and to pay P5 million in moral damages and P33,732.25 in civil damages for a story she wrote about a prominent law firm's alleged unethical and corrupt practices.

The Supreme Court earlier this year issued a circular urging courts to choose the imposition of fines rather than imprisonment on journalists convicted of libel.

The case against Macasaet was filed in 1999 by former Rizal Governor Casimiro Ynares and Narciso Santiago Jr. for articles Macasaet wrote in 1999 in *Malaya* and *Abante* about a conflict between two cockfighting groups, one of which was headed by Ynares.

Santiago Jr. is the husband of administration Senator Miriam Defensor Santiago while Ynares is the brother of Supreme Court Justice Consuelo Ynares Santiago.

Also included in the charge sheet are *Malaya* editors Enrique P. Romualdez and Joy P. De Los Reyes. According to *Malaya* news editor Minnie Advincula, the CIDG agents did not look for Romualdez or De Los Reyes when they came to their office to arrest Macasaet.

Macasaet, 72, said he was surprised by the arrest as he was not informed of the libel case's being filed against him. ■

INTERNATIONAL

Burmese journalist freed after 19 years

AFTER 19 years in prison, a Burmese journalist who was also the longest-serving political prisoner in military-ruled Burma was released last Sept. 23 under the junta's amnesty program.

U Win Tin, former editor of the newspaper *Hanthawadi* and vice-president of the Burma Writers Association, was among several detainees who benefited from the amnesty. The junta will release 9,002 detainees in preparation for the upcoming 2010 elections, Reporters Without Borders (RSF) said, quoting the government-owned newspaper *New Light of Myanmar*.

RSF reported U Win Tin as saying: "I am going to continue practicing politics because I am

a political man. I did not sign document 401, which would have forced me to give up that role. Starting today, I am going to continue supporting Aung San Suu Kyi and the National League for Democracy (NLD). I will soon be 80, but I am not going to stop." U Win Tin is also a founder of the NLD.

International media organization RSF and the Burma Media Association were elated with U Win Tin's release.

"We worked together to defend U Win Tin's innocence and we are immensely relieved that he has finally been freed," RSF and the Burma Media Association said in a statement.

"It is unacceptable that he was made to serve 19 years in prison for peacefully advocating democracy but today his release is an historic moment. We hope other journalists and prisoners of conscience will also be freed and that

U Win Tin will be able to resume his peaceful struggle for press freedom and democracy in Burma."

For his commitment towards the struggle for press freedom, U Win Tin received several press freedom awards, including the Guillermo Cano World Press Freedom Prize awarded by UNESCO, WAN's Golden Pen of Freedom and the RSF award for press freedom.

U Win Tin was imprisoned on July 4, 1989 for several charges including anti-government propaganda, RSF reported. Eight journalists are still in prison in Burma. —RSF/SEAPA

Burma news sites attacked

THE WEBSITES of three leading Burmese news agencies in exile were attacked on the eve of the first anniversary of the week-long

Saffron Revolution, making them inaccessible from the afternoon of Sept. 17.

Distributed Denial of Services (DDOS) attacks overwhelmed the websites of the Democratic Voice of Burma (DVB), and the publications *The Irrawaddy* and the *New Era Journal*. DDOS attacks flood websites with so much automated requests for data these jam their systems.

The websites of the three Burmese news agencies have not been responding since the afternoon of Sept. 17.

Mizzima, also an independent news service run by exiled Burmese journalists in New Delhi, India, experienced a similar DDOS attack last July.

The *Irrawaddy* magazine, an independent news provider run by Burmese journalists exiled in Chiang Mai, Thailand, said its website has been facing problems since Sept. 16.

The Bangkok-based *New Era Journal* also confirmed that its website is also under attack.

This is the second attack against the Oslo-based DVB in the past three months.

The webmaster of the DVB said it is difficult to determine the level of the attack, adding that they could not predict when the sites will be accessible again.

"We do not know who is behind all this, but it is certain that these are deliberate attacks," Toe Zaw Latt said.

Sept. 18 marks the anniversary of the start of street protests in Yangon which built up to a violent military crackdown in Burma last year. Burmese journalists—both inside and outside the country—have been worried about how Burma's junta might deal with the anniversary of what has come to be known as the "Saffron Revolution". —SEAPA/Mizzima News Agency ■

OBIT**MAGPAYO, 87**

THE "FIRST lady of Philippine radio," Fidela "Tiya Dely" Magpayo, bid goodbye to almost seven decades of hosting radio shows. Magpayo suffered a stroke during her dzRH program on Aug. 30 and passed away two days later. She was 87.

Known for her on-air counseling and patronage of Filipino music and language, Magpayo held a full schedule at the radio station even in her 80s. Her programs included "Serenata Pilipina" (Filipino serenade), "Kasaysayan ng mga Liham kay Tiya Dely (Story of letters to Aunt Dely)", and "Ito ang Inyong Lingkod, Tiya Dely (Sincerely yours, Aunt Dely)".

She began her career in 1939 over radio station kfRF as a singer-announcer with radio comedians Andoy Balun-balunan and Dely Atay-atayan. She later became an actress in various radio dramas, a disc jockey, a staff announcer, and a host. She joined dzRH in 1946, moved to dzXL, then to ABS-CBN 2 radio station which was closed down during the martial law period, and then moved again to dwWW in 1977. She went back to ABS-CBN 2 in 1986 but returned to dzRH in 1990.

Magpayo also worked on stage, in movies, and in television. She was in some films by Sampaguita Pictures, LVN, and Larry Santiago Productions. As a singer, she recorded "Pamaypay ng Maynila (Fan of Manila)", "Sa Ilalim ng Ilang-ilang (Under the Ilang-ilang)", "Pandango ni Neneng", and "Nabasag ang Banga (The jar is broken)".

Her contributions to the broadcast industry earned her the Pama-As Gintong Bai award from the National Commission for Culture and the Arts, Gawad Sagisag Quezon Award, Gawad Plaridel from the University of the Philippines College of Mass Communication, and a Lifetime Achievement Award from the Kapisanan ng mga

Brodkaster ng Pilipinas (Association of Broadcasters of the Philippines).

SAMAD, 84

SINGAPORE-BORN journalist Tan Sri Abdul Samad Ismail, better known as Pak Samad, died of a lung infection last Sept. 4.

Samad first worked as a cub reporter in the Malay daily *Utusan Melayu* in 1940. He became a senior staffer and assistant editor during the war years. Samad was editor of the Japanese-run *Berita Malai* and *Berita Harian*. He was managing editor and deputy editor in chief of the New Straits Times Group by age 49. He returned to the *New Straits Times* as editorial adviser in 1981 and again in 2000.

He was also a founding father of the People's Action Party along with former Singapore Prime Minister Lee Kuan Yew. Samad moved to Kuala Lumpur, Malaysia in 1959 after breaking ties with Lee. As an editor and mentor, he shaped print journalism in Malaysia with critical articles on its political life.

Samad received the Ramon Magsaysay Award for Journalism, Literature and Creative Communication Arts in 1994.

GUTHMAN, 89

PULITZER PRIZE-winning investigative journalist and editor Edwin O. Guthman died on Aug. 31 after suffering from a rare disorder called amyloidosis, a complication involving the abnormal buildup of proteins in tissues and organs. He was 89.

In 1950, Guthman won the Pulitzer Prize for his distinguished reports in *The Seattle Times*. His pursuit of stories on the Watergate scandal and association with the Kennedys earned him the ire of President Richard Nixon and the number three spot on Nixon's "enemies list". He also served as a press secretary for Attorney General Robert Kennedy.

Guthman earned a bachelor's de-

gree in journalism from the University of Washington in 1941. He led newspapers in Los Angeles and Philadelphia. He joined the *Seattle Times* in 1947. He worked as a national editor of the *Los Angeles Times* from 1965 to 1977. He transferred to the *Philadelphia Inquirer* as an editorial and Op-Ed editor. After retiring in 1987, he taught journalism at the University of Southern California (USC) Annenberg School for Communication.

His honors and awards included a Distinguished Alumnus Award from the University of Washington, and an honorary doctorate of Human Letters from Holy Family College in Philadelphia. He was an inductee into the Washington State Hall of Journalistic Achievement at Washington State University, and recipient of the Distinguished Achievement in Journalism award from the USC School of Journalism.

PALMER, 77
BOB PALMER, a legendary Colorado television news reporter and anchor, died of natural causes on Aug. 19. He was 77.

Palmer, who attended the University of Colorado's journalism school, started his career as a writer and reporter at CBS4 (then known as the NBC-owned station KOA-TV and later became KCNC TV) in 1957. He spent 26 years with CBS4.

His 40-year career in the Colorado broadcast included anchoring more than 18,000 newscasts. Palmer wrote and reported the award-winning documentary, "The Last of the Hyphenated Americans", an hour-long study on Colorado's Hispanic residents which aired in 1964.

Palmer was an active member and a former president of the Denver Press Club. He was also among the first four inductees in the club's Hall of Fame. ■

CHRONICLE**UNESCO to hold free speech caucus**

THE UNITED Nations Educational, Scientific and Cultural Organization (UNESCO) will hold an international symposium on issues related to free expression on Oct. 29. The event, "International High Level Symposium on Freedom of Expression", will gather government heads and policymakers as well as representatives from major non-government organizations and media practitioners at UNESCO headquarters in Paris.

The event is part of a year-long campaign to kick off the 60th anniversary of the Universal Declaration of Human Rights. Freedom of expression is stipulated in Article 19 of the declaration, which was adopted by the United Nations in Dec. 10, 1948.

A two-day exhibition on "The Safety of Journalists" will inaugurate the event. The exhibit was organized in partnership with the news agency Reuters. ■

ERRATUM

- IN ITS Sept. 2008 issue, PJR Reports inadvertently combined the obituary for Gilbert Roland Guevara Perez and Gilbert R. Perez.
- Gilbert Roland Guevara Perez, a TV and film director and producer, died July 16 aged 48. He was an executive producer for the defunct shows "Goin' Bananas", "Eh Kasi, Bata (Just a Kid)" and "Ready, Set, Go". He directed TV programs like "Maalaala Mo Kaya (Will you remember)", "Sa Puso Ko Linggatan Ka (In my heart, I will care for you)", "Bituing Walang Ningning (A star with no shine)", "Super Inggo", "Maging Sino Ka Man (Whoever you are) Book 2", "Patayin Sa Sindak Si Barbara (Scare Barbara to death)" among others.
- His known directorial films were "Kahit Isang Saglit (Even for just one moment)", "Trip", "Jologs", "Dreamboy", and "Supah Papalicious".
- Perez had a heart attack while directing an ABS-CBN 2 television series last July 1 and had not recovered since.
- On the other hand, Gilbert R. Perez, a lifestyle columnist, artist, and fashion designer/director, passed away on July 22. He was 76. He was a professor at the Feati (Far Eastern Air Transport Incorporated) University for 25 years.
- Perez served as art director for several magazines: the midweek magazine of the *Manila Chronicle*, *People Magazine* of the *Times Journal*, and *Oh!* magazine of Brown Madonna Publishing. Before he died, he was writing the lifestyle column "Manila At Large" for the *Philippines Graphic*.
- Our apologies for the mix-up. ■

PLANTING THE SEEDS OF ETHICAL PRACTICE

■ By Winifredo Liwanag Luis

AMONG students of journalism in the provinces, particularly in Tarlac, the idea of combining law and ethics as a subject for discussion elicits a myriad of opinions and reactions. But a clear line divides the majority of these views into two major schools of thought, so to speak.

The first is the *reactive* response, by a group composed mostly of pseudo-activist students who include among their activities leading protest actions, or writing for the school paper. The other response, quite predictably, is the *passive* response—from a group composed mainly of half-hearted journalism students, or those who, in one way or the other, simply found themselves taking up the course.

Of course this is not a second-guess delineation, or a whimsical, Solomonic view of the way things are among students here. After eight years of teaching Press Law and Ethics at the Tarlac State University, I may have a fairly good assessment of the impact of the subject.

I always start with the Constitutional provisions. We analyze the nitty-gritty of the law—a chore where my legal education comes in handy—then proceed to review cases, most often involving freedom of expression, where the issue of the constitutionality of a certain act is put in question. The latter part is dedicated to Ethics, and the ramifications of ethical standards both in the practice of the profession, and its significance in relation to existing laws.

My experience is that many students are mesmerized with the law. This after they get a glimpse of its uniqueness, its sci-

poor guy "is a criminal" anyway and therefore "deserved" the beating!

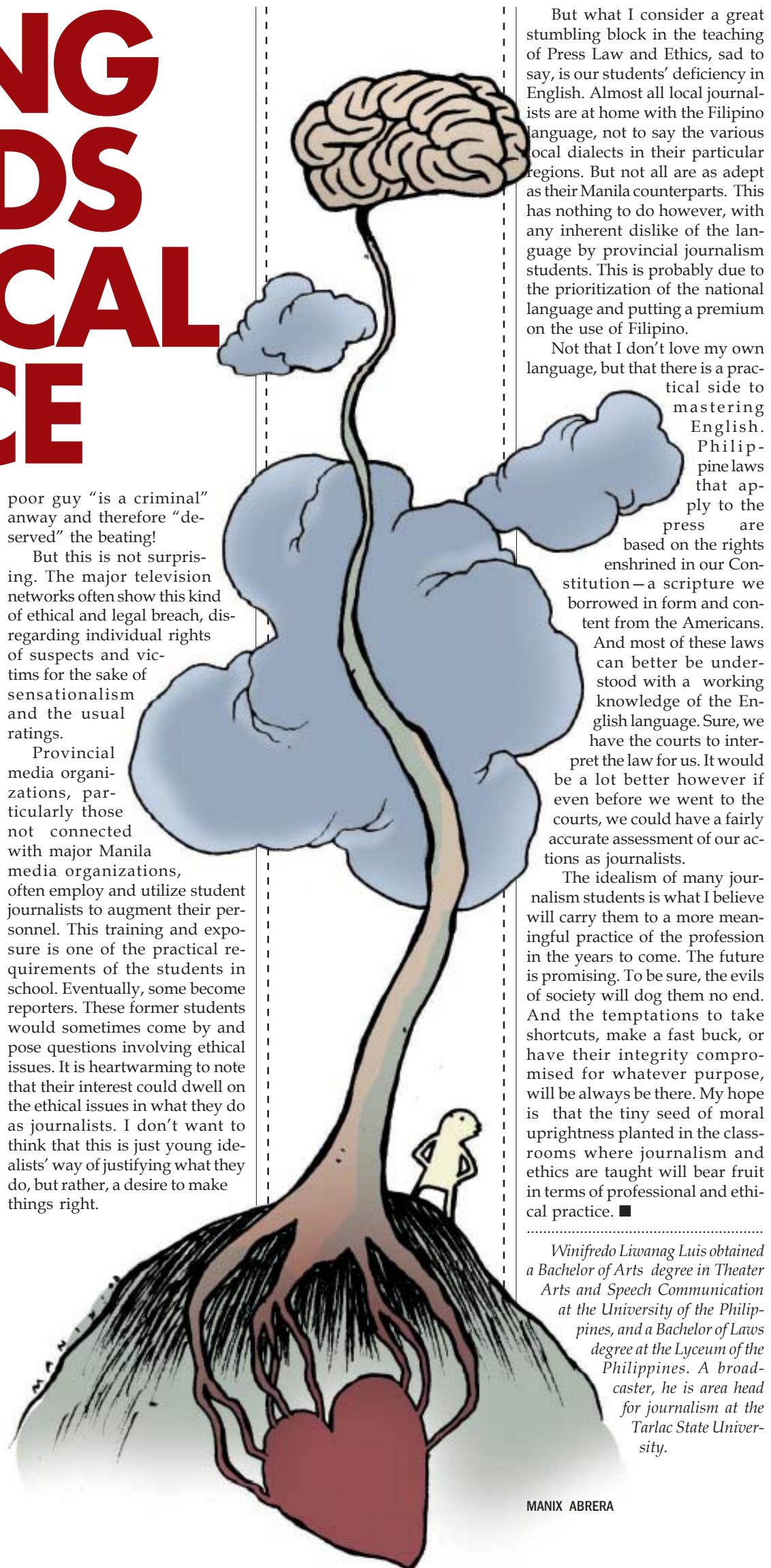
But this is not surprising. The major television networks often show this kind of ethical and legal breach, disregarding individual rights of suspects and victims for the sake of sensationalism and the usual ratings.

Provincial media organizations, particularly those not connected with major Manila media organizations, often employ and utilize student journalists to augment their personnel. This training and exposure is one of the practical requirements of the students in school. Eventually, some become reporters. These former students would sometimes come by and pose questions involving ethical issues. It is heartwarming to note that their interest could dwell on the ethical issues in what they do as journalists. I don't want to think that this is just young idealists' way of justifying what they do, but rather, a desire to make things right.

ence, its effects, its intricacy and its beauty. To the reactive students, the subject offers a view of how the law works, and how, if properly interpreted and applied by the powers that be, it could be a potent weapon to defend rights.

The only problem with this "eagerness" and surprising interest (well, you know how boring a law lecture could be at times) is that students tend to go overboard with their questions. More often than not, these are far-fetched questions—those that stretch the imagination too far and leave you wondering if the situations they imagine could really happen—or those which are completely unrelated to the issue at hand. Blame it on the fascination with the law. For instance, when the class discusses the coverage of a rape, or how to interview a rape victim. The topic readily slides into details of the rape, the law on rape, the definition of rape and how the felony is committed, and so on and so forth.

This classroom behavior reveals, first, a partial or total lack of knowledge of the law and, second, a misunderstanding of its relevance in everyday life. I was astounded to hear from my students for example, that a suspected "akyat-bahay" gang member, or a suspected thief, had no right to complain against the irate residents and barangay "tanods" who beat him up because the



But what I consider a great stumbling block in the teaching of Press Law and Ethics, sad to say, is our students' deficiency in English. Almost all local journalists are at home with the Filipino language, not to say the various local dialects in their particular regions. But not all are as adept as their Manila counterparts. This has nothing to do however, with any inherent dislike of the language by provincial journalism students. This is probably due to the prioritization of the national language and putting a premium on the use of Filipino.

Not that I don't love my own language, but that there is a practical side to mastering English.

Philippine laws that apply to the press are based on the rights enshrined in our Constitution—a scripture we borrowed in form and content from the Americans.

And most of these laws can better be understood with a working knowledge of the English language. Sure, we have the courts to interpret the law for us. It would be a lot better however if even before we went to the courts, we could have a fairly accurate assessment of our actions as journalists.

The idealism of many journalism students is what I believe will carry them to a more meaningful practice of the profession in the years to come. The future is promising. To be sure, the evils of society will dog them no end. And the temptations to take shortcuts, make a fast buck, or have their integrity compromised for whatever purpose, will be always be there. My hope is that the tiny seed of moral uprightness planted in the classrooms where journalism and ethics are taught will bear fruit in terms of professional and ethical practice. ■

Winifredo Liwanag Luis obtained a Bachelor of Arts degree in Theater Arts and Speech Communication at the University of the Philippines, and a Bachelor of Laws degree at the Lyceum of the Philippines. A broadcaster, he is area head for journalism at the Tarlac State University.

MANIX ABRERA