

The massacre of maguindanao media essay



**ASSIGN
BUSTER**

November 23, 2009 since a horrible massacre happened in Maguindanao on one of the islands of the Philippines - Mindanao . A number of civilians were killed which shook the whole country and among those civilians excluding motorists, drivers, politicians, lawyers, women, 34 journalists were named. This fact shocked the press, the government, and the ordinary citizens as well. But why did this senseless massacre happen in a country like the Philippines where freedom and democracy are being took care of?

Nearly few months have passed since this most horrible killing of civilians marked the history of the Philippines , and because of this, it leads us to many realizations. Politicians were killed thus morality was killed. Women were killed thus their rights were killed. Lawyers were killed so justice was also killed. And journalists were killed therefore freedom was also killed. And the latter realization inspired this paper - the freedom of the press. And since the Maguindanao massacre became one of the most talked about issue until now because of its massive killing of journalists, thus killing of freedom, it leads us to be more aware of the work and responsibilities of the press, the laws which made to protect the rights of the press, but eventually made us notice that there are some laws which restrict the said freedom. In this case, since the press must have its independence, there should be no restrictions to such an institution because its independence will be repressed. Furthermore, a country could be considered non-democratic nation for democracy doesn't prevail on that community.

Then, the researcher chose this study to come up with an answer to the personal question: " Why is there such freedom of the press if " freedom"

here does not have the same meaning if read from our constitution from how the ordinary people understand it?” Hence, this paper will

cover only about press freedom here in the Philippines . If it is so, the paper will not tackle any issue that would probably come out while the paper is being discussed. Moreover, the objectives of the paper are firstly, to present situations where freedom of the press was repressed, secondly, to state how freedom of the press go along with democracy, and thirdly, the paper would want the researcher to be more aware of what is happening around him/her.

Now, for the researcher to start discussing what this paper is all about, a question will be first asked. That question would be: “ What is “ freedom of the press”?”

Definition of Freedom of the Press

Freedom means independence and independence means boundless, therefore, press freedom means press independence, meaning there should be no limits to whatever the action of a member of the press would be. But as part of the social equality authorization, the right of the people, and not of the press, is what the term “ freedom of the press” really means. It can be stressed, moreover, as the right of the press is the right of the people to be informed and to be heard (Reyes, 1992). “ Press freedom is not a sectoral right, a right to be asserted and enjoyed only by members of the media sector...Freedom of the press is a basic right of the people, that is, of the entire body politic and every ordinary citizen (Reyes, 1992).”

Here, we come up with two different denotations for the term “ freedom of the press”, but since the press plays the role of being the voice of the

<https://assignbuster.com/the-massacre-of-maguindanao-media-essay/>

Filipinos here in the Philippines as well as serving as an instrument to inform the public, then the press, particularly the journalists, could represent the entire Filipino community. Because of this, the next pages will focus mainly on the first meaning the researcher has presented wherein the “press” is the term used to represent the journalists and other media sector not the people in general. Then we substitute the word

3

“journalist” to “press” thus making the term “freedom of the press” as the right of the journalists to freely express what they want to express.

Moreover, freedom of the press is not merely freedom for the press, and to have social equality isn't competence. It is indeed the freedom of every individual, and it's the hard and risky method but it has a reward in the end (Coronel, 1991).

In connection to this, our constitution provides: “No law shall be passed abridging the freedom of speech and of the press (Section 4, Article III).” This means that no one could prevent any media sector from writing what he/she wants to write as well as from speaking what the person wants to say. Nor even the government has no right to prevent any member of the press from doing so. And since the press has its full access on newspapers, radios, and televisions, the information could be spread to the people easily and freely. But how did it become a right?

Freedom of the Press as a Right

The researcher defines “freedom” here as the right of journalists. This is because everyone has his/her own rights and since the press includes

<https://assignbuster.com/the-massacre-of-maguindanao-media-essay/>

journalists and journalists are human, then, journalists should have their own freedom too. Press freedom should not be excluded as a right of an individual for it is one of his/her rights when he/she was born. It is a right that if oppressed violates human right (Reyes, 1992). But in a deeper meaning, freedom of the press not only stands for the right of every journalists but also for the right of every people to be informed, because media exists to serve the people.

4

Journalists' work could be seen on newspapers as well as could be heard from radios and televisions. But they do not only present the truth to the public with supporting evidences but also give their own opinions towards it. And an idea can never be misleading nevertheless, its

destructive power we still hang on for its amendments because of the opposition of other existing ideas (Zelezny, 1993). That is why, debates and other discussions were lead by journalists and other media sectors because, otherwise, if the ideas of oneself is not being told to anyone, freedom is unreal or fictitious (Reyes, 1992).

Consequently, freedom of idea is the person's right to search for truth that the surrounding is hiding from his/her. It is our right to communicate to others what we have in mind freely. Moreover, it is also our right that allows us to do actions freely regarding our thoughts (Reyes, 1992). Likewise, "“ freedom of the press” is the freedom of truth...(Pinon, 1960).” And if truth firms and is unbreakable, it is free to say one's side (Reyes, 1992). This is

mainly the function of mass media – to reveal the misconducts in its country, freedom of truth to its sovereign.

Media in the Philippines

Media plays a very risky role in the society for it reveals the truth which people are refusing to admit even with irresistible proofs (Braid, 2005). And journalists have chosen a more risky career because their work needs to, and they could do their job through critiquing and even criticizing an issue. Particularly, they are not only supplying the truth because he/she also gives his/her own opinion and view on a particular issue (Coronel, 1991). And so, under the freedom of the press, people has the right to criticize on things which matters them (Pinon, 1960).

5

But most people misunderstood this. Comments from an individual do not mean insulting someone or something. Still, it is inevitable for an individual to have his/her own assessment towards it. It is public opinion, since the individual is the basic unit of any government, which is the uniform foundation of freedom and social equality (Bookwatch Legal Editors, 2006). Furthermore, freedom of the press is the uncontrolled freedom wherein a person can freely express his thoughts (Pinon, 1960).

On the other hand, it is also the responsibility of the journalists to make the younger generation involve themselves to issues which also affect them. Media contributes in giving information to the people and it also educates them to the real work of justice. Media men shows to the public that justice should not be passed within laws but must also showed to the people that

justice really prevails in their society (Braid, 2005). This is why there are shows like Y-Speak where student's voices are given the time to be heard. "...the mass media " have an essential part to play in the education of young people...in making known the views and aspirations of the younger generation" (Holopainen, 1987)." Like it had been said, the youth is the hope - our hope, hence, whatever the opinions of the youth are, it will contribute a big part on the decision-making of that certain issue. " Everyone has the right to freedom of opinion and expression; the right includes the freedom to hold opinions without interference and to seek, receive and impart in information and ideas through any media and regardless of frontiers... (Reyes, 1992)."

But even though it is really the right thing to have media as a tool to spread information to the reading and listening public, few Filipinos knew that there are laws which restrict some of the possible actions of the journalists when doing his/her work. Those few people are only those

6

who have knowledge on laws, then how about the ordinary people who, in reality, do not have any knowledge about such laws because they only gain knowledge from what the television brings to them? If the majority of the sovereign do not have any way to learn information other than through tv, then, in the case, is the truth being concealed from us? And from our experience to Maguindanao massacre, press freedom and rights are oppressed in the most monstrous way -

killing, yet killing is not the only way to oppress the press freedom because there are laws which restrain that freedom in some situations. If so, why is it still stated on the constitution that no laws should shorten the press to the right of free speech?

Limitations of the Press

In a society, to see the misconception on a functioning country and to see the lies existing on it, the step to make is to express what is in the mind. Repression to freedom is only acceptable in spare times (Salvilla, Penasales, Sornito, 1991). For example, if the people are to be informed about the corruption of an official, the journalist shall gather first data to support his/her idea. But highlighting a corrupt official isn't that easy so the journalist shall have a great strategy like spying, eavesdropping, and even making his/her way to a private place. These are normally what a journalist will do, but he/she isn't aware that he/she is stepping into some offenses such as theft, robbery and trespass. "...Free speech is everyone's right and freedom of the press is exercised in protecting every citizen's right to know what his government is doing... (Reyes, 1992)"

Another is all of us are paying our ITRs (Income Tax Returns) and because of this, everyone should know information on what the Bureau of Internal Revenue is collecting from us. And, therefore, if a journalist will try to gather information about these ITRs for the public to be

7

informed, he/she will again stepping to the law, which is on some aspect, a sort of national security. But freedom of the press means that people has

<https://assignbuster.com/the-massacre-of-maguindanao-media-essay/>

the right to know what is happening around them and its country, and to speak up what they want to tell the government. It is also the right of the people to have an entry to information. Moreover, journalists and media men exist just to serve the rights of the people (Reyes, 1992).

Consequently, "...based on the people's " right to know" what is happening in their government because the people are the sovereign... (Salvilla, Penasales, Sornito, 1991)." In other way round, there are cases where the government puts tax on some published works. But it is invalid in the case of putting tax on published works because, if do so, it will restrict such periodical to have its freedom to disseminate information to the public (Salvilla, Penasales, Sornito, 1991). In this case, journalists have the rights to comment freely on an issue, but have no right to do so for he/she must follow laws concerning his/her action (Coronel, 1991).

Also, we all know that journalists chose words with more striking impact to the readers that they would be more interested on the works the journalists have produce. And works of media overstate what the real story behind. It is their work to put great intensity on anything they produce and the impact of that intensity to the people is the basis of their success in their profession (Braid, 2005). Moreover, press is an excellent source for the search of truth. Its impact to the people is merely for them to feel anger and thus, it is more likely to stay for many days, than the feeling of having good news for that day. Its good works are quite forgotten but its scandalous works long for many days in the memory of the readers (Gerald, 1948). But there are cases wherein journalists were accused because he/she uses words like coward,

savage, etc., and “...and writing and publishing an article containing the words “ coward, vile soul, dirty-

8

sucker, savage, hog who always looks toward the ground” is libel per se... (Coronel, 1991).” And libel “...is a public and malicious imputation of a crime vice or defect – a real or imaginary, act or omission, condition or status tending to cause dishonor, discredit of a person and even to blacken the memory of a dead person...(Salvilla, Penasales, Sornito, 1991).” Media do, in connection with their profession, brings out works by chance without meanness, but unacceptably though. In this case, media should be quite careful in doing their right to publish (Coronel, 1991).

There is also this Right to Reply Bill which was proposed by Senators Pimentel, Revilla Jr., and Escudero in year 2008. According to this bill, “ all persons natural or juridical who are accused directly or indirectly of committing or having committed or of intending to commit any crime or offense defined by law or are criticized by innuendo, suggestion or rumor for any lapse in behavior in public or private life shall have the right to reply to the charges published or printed in newspapers, magazines, newsletters or publications circulated commercially or for free, or to criticisms aired or broadcast over radio, television, websites, or through any electronic device.”

This means that the person being attacked by the works of a journalist has the right to reply on that work of the journalist. That person could say that the journalist do not have the credibility of writing that issue to him/her. Moreover, he/she could not only go against the journalist but also to the <https://assignbuster.com/the-massacre-of-maguindanao-media-essay/>

newspaper who published it. But “...speech shall be free even though that law be written into the Constitution...(Coronel, 1991).”

To sum it up, laws are made to limit the press to protect other rights in some situations. “ Libel laws are designed to protect the name and character of a person; national security laws, to

9

protect the very existence of the State; obscenity laws, to protect the morals of society; and contempt to efficient functioning of the judiciary and the legislature...(Salvilla, Penasales, Sornito, 1991).” These laws are really needed to have a healthy country and the researcher is aware of the benefits that these laws could bring. But the researcher is concerned mainly on the term “ freedom of the press” thus having laws which restrict the journalists is the researcher’s primary problem because “...to dare abridge these indivisible freedoms, and in effect negate them, assaults human dignity... (Reyes, 1992).” And “...a more liberal atmosphere has made the media even more powerful in fostering...bringing public opinion to bear on politicians who once wheeled and dealt with impunity... (Eng, 1997).”

Freedom of the Press to a Democratic Nation

If freedom of the press will not be restrained as well as the freedom of the people, then democracy prevails on that country for “[f]ree speech is indispensable to free government...(Coronel, 1991).” When a nation is controlled and its rights and those of the people, then democracy dies. After this instance, the right of the media men and of the people to speak out their opinions and thoughts are also been oppressed (Reyes, 1992). Having

<https://assignbuster.com/the-massacre-of-maguindanao-media-essay/>

limitations provided by law concerning public officials could be said as anti-democratic. Those limitations are cannot be opened to the public. But in the sense of wanting to have a better nation, open and free discussions between individuals, and access to the government, are ways to know the underlying truths of a nation (Salvilla, Penasales, Sornito, 1991). Moreover, in the search of truth, an unrestricted and unlimited conversation is needed for the ideas that made up a good conversation which came from the people whose concern matter (McCormick and MacInnes, 1962). And in a democratic country, it is better to have means of communication between the

10

functioning government and its society. Choosing to have a newspaper than to have a government is what democracy really means, for newspaper is something where free discussion of thoughts could be seen (Salvilla, Penasales, Sornito, 1991).

Going back into the problem in the first place, the government is the one who made and accepted this laws which limit the press freedom, and the government must be doing this things just for their own sake. In addition to this reality, people accept these restrictions as necessary for their own benefits (Reyes, 1992). And this isn't new for all of us because of its transparency on our own government. And since the superior power is being held by the government, there are cases where it [government] uses its power to take actions opposed to individuals who freely gave their opinions without the government being analytical if their actions are under the international law (Reyes, 1992).

“ Still, violence against newspeople remained significantly oppressive...there were more newspeople killed in the Philippines than in any other nation... (Case, 1991).” But this problem could be resolved. “ We may preserve freedom of speech by making no laws which restrict it. If repressive laws are passed they may be carefully circumscribed... (Coronel, 1991).” Moreover, “...free speech and press not as a separate entity deserving nurturing, but as part of a larger process...free speech and press as contributing to good government... (Chamberlin and Brown, 1982).”

Conclusion

Press freedom doesn't mean that it is the freedom of the media establishments or other media members. And to defend for it is not only defending the freedom of this media men, but also defending the freedom of the people because all freedoms are being took care of the people

11

Yuyitung, 2000). But media people do not have the assurance that they will have their freedom every time, because the government is making laws that, for the eyes of ordinary people, are a good law to be implemented but if observed with critical eyes, is indeed a way to interfere with the freedom of the press itself (Malaya, B9+B15). And if “...the public restrict journalists' freedom, the public restricts its own freedom...(Reyes, 1992).”

Moreover, having freedom of speech and of the press in the Philippines means the people can freely express their thoughts and ideas.

Consequently, it is true that those laws stated in the body of this paper are implemented to not violate other human rights. But, even if these limitations

were good, to have those to restrain such freedom isn't freedom at all for "freedom" means no restrictions, no bound.

Yes! There is really freedom of the press existing here in the Philippines because the press still has their freedom to write, speak, and publish what is the truth. But still, "...concepts as a "less-free" press or a "freer" press... (Reyes, 1992)" do not exist. It is because the term "freedom of the press" has no comparative form for it is if and only if process to acknowledge this right of free publication and also of free expression (Reyes, 1992). Then, even though the press can still express what they want to express, but on the other hand still has limitations, then we could be on one side only. Therefore, because of those limitations we have discussed before, freedom of the press do not exist.