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Paper No. 8
HUMAN RIGHTS REPORTING ON THE PHILIPPINES' RURAL POOR:
FOCUS ON MINDANAO

I come from the very rich but very beleaguered island of Mindanao, south of the Philippines, dubbed often as the "land of promise" and yes, our country's "war zone."

I come from the island which had the most number of victims of human rights violations in the country under the Marcos dictatorship; the most number of government soldiers and armed rebels then and now.

I come from the island which hosts 53% of the country's poor.

Mindanao has a population of 17 million out of the Philippines' 70 million.

The task of a journalist covering Mindanao is not easy.

For one, the island is far too complex to understand, it being the only island grouping in the country that has a distinct tri-people character -- the Muslims, Christians and indigenous peoples; a long history of armed confrontations absent in the two other major islands of Luzon and Visayas; a very rich island with the most number of very poor people.

Biases are rooted deeply in history, particularly between the settlers of Mindanao coming from the Visayas and Luzon who are generically referred to as "Christians" and the Moro people of Mindanao who are referred to as "Muslims."

The complexities are not understood well, not only by Manila-based editors and field reporters (and I must stress here that all the national newspapers, radio and television networks in the Philippines are based in faraway Metro Manila) but also even among a good number of Mindanao-based reporters.

I am quite fortunate in a sense because before becoming bureau chief of Mindanao for the Philippine Daily Inquirer in 1991, I handled the Mindanao beat for a Catholic-run weekly newsmagazine, Veritas, at the tailend of the Marcos dictatorship in late 1984 and handled the same beat for a

ISLAND OF UNREST

When I went home to Mindanao in late 1984 from school in Metro Manila, the island was seething with unrest.

My return to Mindanao was actually intended only for one semester. I was then studying Law at the University of the Philippines in Metro Manila but in 1984 under Marcos, who wanted to be a lawyer when almost all our professors would tell us these are the laws and this is how Marcos is circumventing them?

I took a leave for one semester to go home to Mindanao and do journalism. It was meant to be for only one semester. But when classes were about to begin in June 1985 and I did not return to Manila, my mother threatened to put me inside a sack for transport back to Manila so I could resume law school.

You see, I actually swore before my father's grave (he died a month before former Senator Ninoy Aquino was assassinated), that I would be a lawyer. I never became one but I have no regrets.

Against my mother's protestations, I stayed on in Mindanao. By then, it was very clear to me that I could serve my people better if I were a journalist than if I were a lawyer.

I continued going around Mindanao's 24 provinces and 20 cities, met with soldiers and rebels in their camps, spoke with evacuees displaced by war, children of war, grieving families of slain soldiers or rebels, political prisoners, church people, the high and the mighty and ordinary citizens.

The challenge then for every well-meaning journalist was how to get the reports printed, considering the dictatorship's control over the press. Fortunately, I wrote for a Manila-based Catholic-run weekly newsmagazine that was among those dubbed as "alternative press."

I doubt very much if I would have been able to write as freely if I had written for a community paper based in Mindanao.

Very few journalists in the community press then dared report these kinds of stories. That was pretty much understandable because then, if you report what was happening, you'd risk the ire of the military. The local
publishers also did not dare, lest their lifeblood be closed down by the Marcos military.

But the Church, activists and a number of journalists pursued the fight to end the dictatorship.

The cause-oriented groups, as many of the groups then were known, churned out newsletters and other publications detailing the tortures, murders, disappearances, arrests which were not reported in the mainstream press.

There was also the church-based Task Force Detainees which dutifully recorded human rights violations in the country.

COUNTING THE DEAD

My base, Davao City, was then the country's "killing fields" and laboratory of the urban guerrilla warfare of the communist-led New People's Army.

Everyday, bodies of victims turned up along the riverbanks, the highway ironically referred to as a "friendship highway," and on the city's main streets.

In fact, one body turning up was no longer news. It was always two or three a day. But there was one day, March 12, 1985, when 12 bodies turned up.

It was easy to determine then who did the killing. One bullet in the head or in any other vital part of the body meant the victim was slain by the rebels. The rebels made sure they fired only one shot, essentially to save on bullets.

If the body showed signs of torture, bore several gunshot wounds or was hogtied, then the victim was killed by the Marcos military.

At that time, there was a radio station in the city which was always first to report on the bodies turning up in the city.

The police would go to the scene of the crime only when they hear on radio that reporters were already there.

The first time I saw a cadaver on the streets, I felt uneasy but conditioned myself that seeing cadavers was part of my job.

Somehow, I got used, or so I thought, to the sight of bodies on the streets, quite a number of them, ironically covered with newspapers. But once, while seeing a colleague from radio remove pages of the newspaper to describe on air
the built of the victim and where the bullets hit the victim, I found myself asking, "why did you do that?"

His answer? "I've gotten used to it."

I never got used to seeing bodies around me. Deep inside, I felt nothing but revulsion. I wanted the madness, the nightmare to end.

SURVIVING

How did we survive as journalists reporting on violations of human rights under Marcos?

I think it was essentially the commitment to help end the madness going on that gave us the courage to do what we, journalists, are supposed to do.

But to keep ourselves alive, we had to exercise creativity and do a lot of strategizing, specially since insurance firms would not dare insure journalists in very high-risk areas and Mindanao was on top of the list of very high-risk areas.

I remember that in every place I went to in Mindanao under Marcos, my first stop was always the Catholic Bishop's residence (the country is predominantly Catholic) and my last stop, the military camp or headquarters.

The first stop was the Catholic Bishop's residence, not only because the Church then had the basic data or leads journalists needed, or war refugees would flock to the church compounds, but also because in case something happened to you on coverage, someone could easily report you had disappeared or had been killed.

The last stop was the military, to get their side. It was better that they be the last because they won't have the chance to follow you around anymore.

In all my coverages in Mindanao then, I always brought with me a pastel pink shirt for wearing on the last stop of the coverage.

It may sound funny now but wearing pink was largely due to color psychology. At that time, there was a recently released scientific study on the calming effect of pink on violent prisoners in the United States.

Since the military then did not like journalists who asked questions, the best thing to do was practice color psychology on them. And yes, it always worked.
I was also fortunate that in my base in Davao City, there was a military official who was, in Mindanao at that time and perhaps in the rest of the country, the only respected military official -- Rodolfo Biazon who, under Aquino, became Chief of Staff of the Armed Forces of the Philippines and is now a senator.

**POST-MARCOS**

When the Marcoses were ousted by the People's Revolt in February 1986, you can imagine the changes and adjustments everyone had to make, including us journalists.

Euphoria was all over the place, including Mindanao which is too far from EDSA in Metro Manila.

That euphoria, however, turned out to be short-lived, particularly in war-ravaged Mindanao.

For soon thereafter, the anti-communist vigilantes sprouted, first in my city, then in other parts of Mindanao and the rest of the country, triggering yet another wave of human rights violations. It did not help at all that then President Corazon Aquino, under whose administration a Commission on Human Rights was set up through the 1987 Constitution, encouraged the vigilantes and made them appear like they were an offshoot of "people power."

The vigilantes included religious fanatics who claimed to have magical powers of invulnerability to bullets and who helped terrorize no longer individuals but entire communities.

There was this radio commentator in Davao City who went on air warning residents of a particular village that their houses would be raided or marked "'X'" if they did not join the anti-communist vigilantes.

There were fanatics who, during our interviews, would talk about how easy it is for them to find out if you're a communist. If the oil they carry in their vials boils, then you are a communist.

Again, the terrorized victims were the poor.

**PEACE PROCESS**

While these things were happening in the countrysides of Mindanao, government opened peace negotiations with communist and Moro rebels, both of which failed. Within this period, too, the rebel soldiers mounted a series of coup attempts, all of them failed.
The ascent to power of Ms Aquino or the creation of the Commission on Human Rights, did not end human rights violations in the country.

For how do you reorient a military that had become so used to violating human rights?

Just as soon as the peace efforts failed, the Aquino administration unleashed its "total war policy."

Unlike in the Marcos years, however, when taking to task government for its violation of human rights was ignored by the dictatorship, the return of democratic processes and a free press under the Aquino administration gave the administration no choice but to respond to these reports.

By this time, too, it must be noted, many newspapers, radio and TV stations had been opened and technological advances had made it possible for a widespread and yes, faster dissemination of news.

It did help that there was a government agency, the Commission on Human Rights or CHR, that victims or relatives of victims of human rights violations could go to for assistance in seeking justice. It helped that the media could immediately get government's reaction on the violations.

It took sometime, however, before people, particularly the poor, could muster enough courage to report these incidents to the CHR. The hesitance was also due largely to the after-effects of Marcos' martial law.

The CHR, however, has limitations. For one, its offices are in the key cities only. Its powers are also limited and CHR commissioner Nasser Marohomsalic, who will speak here tomorrow, will expound on this.

The CHR is merely recommendatory and not prosecutory. One can only wish for immediate justice but the process takes so long in the regular courts so that justice delayed is still justice denied.

OTHER FORMS

The ascent to power of President Fidel Ramos, once the chief of the Philippine Constabulary under Marcos and Ms Aquino's Defense Secretary, triggered yet another wave of human rights violations, though the focus shifted from the violation of human rights during counter-insurgency operations of the military and police in the countryside, to development aggression.
This was brought about by Mr. Ramos' two-pronged approach when he assumed the Presidency in 1992: peace talks with the rebels and rallying the people to a very ambitious goal: make the country a newly industrialized country by year 2000. Thirty seven days to year 2000, we're still ages away from realizing that ambitious dream.

The Ramos administration succeeded in forging a peace pact first with the rebel-soldiers -- those who were behind the series of coup attempts against the Aquino administration -- and in September 1996, the Moro National Liberation Front. The government also negotiated peace with the communist New People's Army but no peace pact was forged.

By then, the Ramos administration saw the communist army as a spent force, largely due to a major split within the movement.

The factions within the communist movement spent most of their time under the Ramos administration consolidating their ranks and recouping lost grounds. They would soon show their force under the Estrada administration. But that's getting ahead of the story.

Counter-insurgency operations under the Ramos administration were not as massive as under the Marcos or Aquino administrations. But it is not so much to the credit of government that there were less counter-insurgency operations. It was also because of the internal problems within the communist movement.

So while the communist rebels were locked in their internal strife, while the peace process with the rebel soldiers and the Moro National Liberation Front were going on, the Ramos administration busied itself with economic reforms, triggering in their wake, other forms of human rights violations.

It is not that these violations did not occur under Marcos or under Aquino. It's just that it was given more focus in the wake of lesser counter-insurgency operations.

DISPLACEMENTS

The aggressiveness of the Ramos administration to invite investors, particularly foreign investors, led to mass-scale human rights violations whose victims were again, as under the Marcos and Aquino administrations, the poor.

Thousands of indigenous peoples were displaced from their claimed ancestral lands by the entry of mining corporations, industrial tree plantation firms, industrial estates and tourism estates in Mindanao. Thousands of urban
poor residents were also displaced by the conversion of lands into golf courses, subdivisions and resorts.

That trend has not stopped. In fact, President Estrada is very busy these days campaigning for the amendment on the Constitution to allow foreigners 100% ownership of lands for industrial ventures and 100% ownership of businesses involving vital utilities.

A few weeks ago, several Subano indigenous peoples set up a human barricade in Siocon, Zamboanga del Norte, Mindanao, to protest the entry of a foreign mining firm.

SOCIAL COST

It is unfortunate that in the desire of Marcos, Aquino, Ramos and Estrada to push for foreign investments and other so-called development projects, the focus is always on profit and so-called progress but the social cost is much too often ignored.

The poor constitutes the majority in the Philippines. Most of them are in the rural areas. But they do not have the voice. Our political landscape is such that every election campaign, candidates promise alleviation of poverty but the promises remain promises. As soon as they get elected, the poor are forgotten and it's payback time to their campaign financiers.

Majority of our elected officials -- whether in national offices or local posts -- come from the elite sector of society.

Our President, a former actor who came from a wealthy family, ran under the slogan "Erap para sa Mahirap" or Erap (his nickname) for the poor. Most of our congressmen and senators, mayors and governors are also from the moneyed class.

Even if our elected officials can no longer run by virtue of term limits, they continue to wield power either by running for another elective post or by fielding their wives or sons or daughters in the post they are vacating.

PRO-POOR?

With moneyed people at the helm, how can we expect legislations or policies favoring the poor? How can we expect a development agenda that will, indeed, favor the poor?

If you go around the country, you will find the cities looking so progressive but in the outskirts, people are
deprived of their basic rights to very basic needs like water, food, health, security, education, information.

Poverty in the Philippine rural setting, particularly in Mindanao, is rooted in landlessness and injustice.

Landlessness and injustice help breed rebels. And while intellectuals may lead these rebellions, their armies, like the government’s, consist mainly of the poor.

Addressing the problem militarily has not been a solution.

AGRARIAN UNREST

A supposedly comprehensive agrarian reform program was passed under the Aquino administration in 1988. Critics then said it was a watered down version of the bill that originally had inputs from farmers’ groups and NGOs but whose inputs did not find allies in the landlord-dominated Congress.

A female legislator who owns vast tracts of lands even urged landowners then to take up arms should the agrarian reform bill be passed. In the same public forum attended by landowners, the legislator urged them to ‘‘buy media’’ to push for their agenda.

HUNGER STRIKE

The agrarian reform bill was eventually passed but the landlord-dominated Congress managed to incorporate provisions and exemptions to their favor.

In 1997, a group of farmers in Bukidnon, Mindanao who were supposed to be agrarian reform beneficiaries but whose lands were to be taken away from them in favor of an agro-industrial project went on hunger strike to dramatize their plight. Some of them were brought to Metro Manila by sympathetic NGOs so they could stage their hunger strike right in front of the Department of Agrarian Reform. Naturally, their plight caught the attention of the national media.

The Bukidnon farmers have gone through at least three hunger strikes already but they have yet to take over the lands awarded them by the Department of Agrarian Reform. The landowner and the governor went to the Supreme Court and won against the farmers, by a mere technicality.

Commissioner Marohomsalic of the Commission on Human Rights proposed in 1996 to include the CHR for membership in the Regional Development Councils (the councils that endorse so-called development projects) to factor into the
government's economic plans some human rights concerns. His proposal was turned down.

VESTIGES OF MARTIAL LAW

It was under the Ramos administration, too, that wiretapping and national security identification systems were being aggressively pushed but fiercely opposed by a citizenry that refused to have anything to do with vestiges of Marcos' Martial Law.

Mr. Ramos also, on the eve of his last year in office, attempted to have the Constitution amended principally to lift term limits.

The attempt was met with mass actions nationwide, led by former President Aquino and Cardinal Jaime Sin -- the same cardinal who, in 1986, urged the people to go to EDSA.

VIGILANTES

Vigilantes again sprouted in the Ramos administration, this time killing suspected pushers of prohibitive drugs, most of them, again, poor.

The vigilantes, most of them poor, too, were widely believed to be supported by state authorities.

In Davao City alone in 1997, 57 suspected drug pushers, most of them poor, were killed by vigilantes.

DEATH BY FIRING SQUAD

In October 1997, the killing of two persons by a firing squad of the Moro Islamic Liberation Front (MILF) triggered reactions from national officials. It was not the first time the MILF executed persons found guilty of crimes under their Shari'ah system but it was the first time photographs of the execution appeared on page one of a major national broadsheet -- my newspaper.

Violation of human rights, the officials and other critics cried. Violation of the Constitutional right to due process, they said. But for the MILF which does not recognize the Philippine Constitution and which is fighting for self-determination and the recognition of their own justice system, the executions, they asserted, were done after due process had been exhausted.

Before the publication of the photos, stories of executions by the MILF had actually been reported but ignored by officials. Until those photographs were published.
The reactions triggered by the photographs, however, helped elevate to the public consciousness the reality that part of the demands for self-determination is the demand for the state to recognize their own justice system.

DEATH PENALTY

Early this year, the nation was again sharply divided over the issue on death penalty. This penalty was already discarded in favor of life sentence in the early days of the Aquino administration but was restored under the Ramos administration and took effect under the Estrada administration.

Human rights advocates and civil libertarians protested the imposition of the penalty, arguing that death by lethal injection will not serve as a deterrent to the commission of heinous crimes.

Worse, the prisoners on death row were again mostly the poor, some of whom may actually be innocent of the crimes charged them but who do not have the means to hire lawyers.

Here, we must note that Imelda, the Marcos widow who could afford the most expensive lawyers in the country and abroad, has managed all these years to continue living like a queen instead of languishing in jail.

NO DEPARTURE

The Estrada administration's thrust to entice foreign investments is not a departure from the Ramos administration's or previous administrations' thurst.

Mr. Estrada's campaign for Constitutional Amendments has been focusing on alleged advantages these amendments would give the poor, who are, again the worst hit victims of the financial crisis and globalization.

Mr. Estrada, however, is hell-bent on pushing for constitutional amendments, allegedly to remove obstacles along the path of economic reforms, just as he was hell-bent on pushing for the ratification of the US Visiting Forces Agreement (VFA) this year.

In 1991, we had a Senate that proudly said No to the renewal of the Military Bases Agreement that would have extended the stay of the United States air and naval bases in the northern part of the country.

Among those who said No was Mr. Estrada and his Defense Secretary Orlando Mercado, both of them senators back in 1991. Mr. Estrada and Mr. Mercado argued on the side of sovereignty.
In 1999, we had a Senate that said yes to the VFA despite protestations from the people that it was an affront to our right to sovereignty. For Mr. Estrada and Mr. Mercado, having a VFA with our former colonizer was not an affront.

Now, Mr. Estrada wants our Constitution amended to attract foreign investors.

History has shown, however, that the entry of foreign investors is not a guarantee that the country's economy would improve or that poverty would be eradicated.

Just this month, the National Steel Corporation, once a government-owned corporation, privatized under the Ramos administration and sold to Malaysian investors who also sold it to another Malaysian firm, shut down operations, displacing at least 2,000 workers and wreaking havoc on the economy of Iligan City in Mindanao.

Worse, the Malaysian investors, a professor from that city pointed out, did not really infuse money into the steel corporation but borrowed from our banks. We were actually fried in our own oil.

PEACE PROCESS

At present, the peace pact forged in 1996 with the Moro National Liberation Front has yet to be fully implemented. Government is presently negotiating peace with the Moro Islamic Liberation Front although just a few days ago, at least 20,000 residents were displaced from several towns in North Cotabato due to skirmishes between government forces and the MILF.

In the meantime, the communist movement has recouped and in fact managed to seize several Army and police officials this year, the most high-ranking of whom was an Army general and a captain who were seized in the hinterlands of my city on February 17 and freed on April 16.

This year, many armed teenage guerrillas from the rural areas were arrested or captured by the military. These are mostly children who have had no opportunity to go to school or complete their primary education.

The reportage on human rights violations particularly on the rural poor continues although I must stress here that the issue, while given focus, is still very much under-reported.

PROBLEMS
There are many newspapers, radio or TV stations now, yes but all of these are based in the key cities. The Subanos' barricade against mining was not given enough focus until very recently because of the inaccessibility of the place.

In areas where there are skirmishes between government soldiers and rebels, the media tend to focus on what these two armed forces say or do but there is much to be desired about the coverage of the victims -- the civilians displaced by these skirmishes.

Understandably, the victims displaced by these skirmishes would rather not talk out of fear. But this is not a reason why their plight should not be reported on.

There are several factors that can be pointed out to explain this, among them, that media outlets have defense beat reporters but very few have human rights beat reporters; that a number of those covering agrarian, agriculture, environment or health beats content themselves with covering pronouncements of officials of these departments and spare very little time for field coverages of the very people affected by these pronouncements unless these poor people get mowed down, stage hunger strikes or barricades or die from starvation.

Another is that a number of journalists view human rights violations merely as violations spawned by counter-insurgency operations, ignoring the fact that the lives of the poor are snuffed out not only by bullets but also by landlessness, government neglect, lack of basic services.

It is an irony that my country sends thousands of doctors and nurses to tend to the sick abroad but hundreds of thousands of my people have not even seen a doctor or a nurse in their lifetime.

It is an irony, too, that while a number of our teachers have turned into domestic helpers abroad, tending to and teaching children in other countries, their children are left behind in the country.

SECURITY

In Mindanao, another problem journalists face is still security. A number of journalists, particularly in critical areas, admit to wanting to report on various human rights violations by the military, police or rebels or by local politicians or local businesses but their intentions are not matched with action because "I still want to live.''

As we enter the new millennium, the prospects of alleviating poverty are not as hopeful.
More and more people are joining the unemployed because of the closure or downsizing of firms.

More so-called development projects are also being implemented.

As journalists, the challenge is to be able to give the poor some fighting chance, to lend them a voice.

The challenges are enormous. It requires the same vigilance perhaps of the same extent and levels as when journalists helped in the struggle to end the Marcos dictatorship.

Press freedom

Still another problem recently facing the Philippine press is the issue of press freedom. It became a problem this year with no less than the President as a party to its infringement.

Early this year, he sued the Manila Times for calling him "unwitting godfather" in a power contract that favored a firm whose friends were his friends.

The case was not actually actionable but the owners, a Filipino-Chinese businessman with widespread interests was forced to apologize.

True, the paper failed to mention that among the losing bidders was a firm owned by its owners, the Gokongweis, but its use of "unwitting godfather" was not done with malice.

Feeling the heat, the Gokongweis apologized to the President who immediately dropped his libel suit against the paper.

By July 23, the paper closed down. It was, as the editorial team described it, a "death by corporate strangulation."

The paper resumed operations on October 25 under a new management and editorial team. The paper's new owners are friends of the president. And only last week, earlier reports that presidential adviser Mark Jimenez was behind the purchase of the Manila Times, were given credence when the person who bought the controlling shares of the Manila Times in July sold his 60% share to a son of Jimenez and a person identified with the president's spiritual adviser. To this date, the publisher has declined to divulge who the real owners are of the 40% shares. The common perception is that Jimenez also owned these shares.

Ad pull-out
Just as the Manila Times was about to be closed, my paper suffered an advertising pull-out courtesy of the President. Of course he has denied this repeatedly but the first advertisers to pull out were those from the movie industry. Mr. Estrada was an actor before he joined politics.

The ad pull-out from the movie industry came immediately after the movie producers met with Mr. Estrada to lobby for a tax break. Of course they got the tax break.

The President felt aggrieved that my paper published stories among others, about his son going on a vacation in a city in Mindanao on board the Presidential jet (while he was on a state visit elsewhere) and leaving behind several thousands of pesos of unpaid bills which government officials -- or taxpayers -- had to pay for.

Soon after the ad pull-out of the movie industry, major advertisers pulled out so my paper became a few pages thinner and thinner by the day.

Fortunately for us, we have the largest circulation nationwide and while the competing newspapers did not bother to rally behind us, the public did and the outpouring of support was very heart-warming -- through phone calls, e-mails and a very thick pile of letters -- urging us to continue what we were doing and not to buckle down to presidential pressure.

The effect of the ad pull-out by friends of Mr. Estrada forced quite a number of journalists and publications to take the "safe" side through self-censorship. As we all know, self-censorship is not safe but is actually as worse, if not worst, than a state-imposed censorship.

NO BUCKLING DOWN

My paper did not buckle down to presidential pressure or the advertising pull-out. It helped that the owner had business interests that were not as widespread.

The owners of my paper were subjected to tax audits but government auditors and revenue officers found no violations.

Thinning pages, notwithstanding, my paper continued to get the support of the readership. But the President's insistence on constitutional amendments as well as his attempts to muzzle the press led to a two-digit fall in his popularity ratings.
Again, he blamed my paper for the fall, forgetting that his controversial policies, the return of cronyism, insistence on pushing for constitutional amendments and attempts to muzzle the press were met with nationwide mass protests in August and September with the August 20 rally spearheaded by former President Aquino and Cardinal Jaime Sin.

Perhaps Mr. Estrada may not have had the guts to do as he did to my paper if only the owners of the Manila Times did not buckle down to presidential pressure.

Having gotten a daily newspaper to apologize to him apparently gave him the idea that he could wield his powers to make the largest circulated newspaper nationwide buckle down.

My paper did not.

And yes, we're still alive.