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CONRADO DE QUIROS
PHILIPPINE DAILY INQUIRER
PHILIPPINES

ALIVE AND KICKING

SEMINAR ON ASIAN MEDIA AND FREEDOM OF INFORMATION
May 8 –10, 2000, Bangkok, Thailand
Conrado De Quiros  
Columnist  
Philippine Daily Inquirer

My paper deals with the situation on the press in the Philippines. Before I go in to that, let me comment on similar issues raised this morning. These comments will bear on my presentation on the Philippine press.

The first has to do with the relationship between press freedom and responsibility. Everytime I attend a forum I hear something said about press freedom and responsibility. I just heard it from the 1st speaker this morning and just last week I was in Jakarta to attend a conference as well on press freedom. Although it is phrased in a number of ways, it is said that the right to freedom should go with some kind of responsibility. I agree with the general principle but I must make several caveats. I think we ought to be very clear each time we make statements regarding press freedom and responsibility. I agree that the press ought to exercise a tremendous degree of responsibility and I agree that the press has the tendency in my country at least toward tremendous excesses and even abuse. I suspect that it is also the case in of other newspapers in Asia.

When we were in Jakarta I heard a lot of comments from the editors of the Indonesian newspapers about the excesses of the Indonesian press over the last two years. Today it was a complete surprise to me as the Indonesian newspaper people here talked at length about the excesses of the press over the last years rather than the blessings of press freedom. I was surprised about that. I completely sympathize with the problems they raised as we have the same problems in the Philippines, and precisely my presentation will dwell on those.

My own newspaper, the Daily Inquirer, has been accused of some excesses. It has been accused of adopting a policy of refusing to be confused by the facts.

I agree completely and sympathize with the issues raised by the editors of the newspapers in Jakarta but having said that I also made these comments there. I said, I agreed completely with the basic premise, but I do disagree with the idea that press freedom causes the press to be a little irresponsible, that it causes the press to be excessive to a point when the government has the right to take away the freedom. I cannot believe that freedom of the press can be conditional to the exercise of responsibility. The problem of responsibility I think is the problem of the press. It's the problem of the society at large. I don't share the view that the government can at any time infringe on press freedom because the press becomes a little excessive or even abusive. The principle I think is exactly the same thing as elections. You cannot be sure that when you have elections, people will vote for intelligent people in public office or probably vote for a baboon. But that is not an excuse to take away elections. You cannot take away freedom because people do not use freedom well or wisely.
The second point is I am appreciative of the power of laws to change society. I agree completely that we need certain laws such as the Freedom of Information Act to be able to create a better society. Having said this I must also stress that different laws affect society differently. Tyrannical laws more or less assure us that press freedom would be curtailed. We heard the testimony of the representative from Malaysia earlier on, on the existence of tyrannical laws in Malaysia that prevent press freedom. The same thing happened with us during the authoritarian rule under Ferdinand Marcos from the period 1972 to 1986.

But the existence I think of progressive laws will not necessarily assure us that the press freedom will be curtailed. Any state or government that is sensitive to criticism will use tyrannical laws to curtail press freedom but any state or government that is sensitive to criticism will not necessarily be prevented by the good laws or the progressive laws for not curtailing press freedom. They can always either ignore the rules or ignore the good laws. They can skirt the laws or they can even defy the laws as what has been happening in my own country.

If you wish to have a grasp of the Philippine press situation, you will not find it in the laws, but in actual practice. The laws on press freedom are formidable. You will find this in our constitution. You will find in a lot of other laws that assure press freedom in my country.

Although we do not have the Freedom of Information Act, this has been pretty much unnecessary in the Philippines. Journalists are free to get whatever facts they want from the government. The laws have not prevented them from accessing government information. The problem, however, is the practice itself. The existence of this law does not necessarily guarantee that press freedom will always be there. Even the constitution itself is routinely flouted. We have for instance in the constitution a provision that says, education should be the number one priority of the country but isn’t followed. The number one priority of the country is debt payments. The bulk of the budget is spent on paying debts rather than in education. Our constitution bans paramilitary forces but we continue to have paramilitary forces in the country. These things are rarely questioned, They are taken as something routine. A good law by itself does not necessarily guarantee that it will be followed and that is the case in my own country. You won’t find an appreciation of the press situation in the Philippines in the laws; you will find it instead in the practice. Press freedom in the Philippines thrives for very good reasons and it has nothing to do with laws. It has got to do with two things. The first one is the long tradition of press freedom. We have a libertarian tradition that dates back from the 19th century when we had the propaganda movement. The anti-colonial struggle against Spain which brought about a tremendous burst of journalistic activity, gave rise to some kind of tradition of a free press. The other thing that’s keeping press freedom alive in the Philippines is strangely enough or ironically enough is our own experience with Martial law, our own experience with authoritarian tradition. Our long tradition of press freedom has given the country a knowledge of what it means to have press freedom while our experience with the authoritarian rule has given us a concept of what it means not to have press Freedom.
Alive and kicking

BY CONRADO DE QUIROS

The laws guaranteeing press freedom in the Philippines are legion. But it is not in the laws one will find the ability of the Philippine press to thrive and prosper. It is in the practice. Or more to the point, it is in the political situation and the way the Philippine press responds to it.

The laws are only as good as the political situation that allows them to work. The Philippines is a country that has made an art of circumventing the law, a favorite pastime not only of Ferdinand Marcos, who was a lawyer, but of most politicians, who are lawyers. (Though that trend has been changing lately. More and more, the politicians are entertainers. But that’s another story.) Indeed, it is a country that is not beyond getting around or patently violating the Constitution as political expedience dictates.

The Constitution says education should be the country’s number one priority; the number one item in the budget is debt payments. The Constitution is vocal about the observance of human rights; the police routinely torture and “salvage”—the Filipino euphemism for summary execution—suspects. The Constitution bans paramilitary and vigilante groups; paramilitary and vigilante groups continue to roam in the countryside. And so on.

The justice department and the courts normally go along with this. One can almost reduce the situation in the country into an axiom: Where there’s a political will, there’s a legal way.

A libertarian tradition

Fortunately for the Philippine press, there is a strong political will to defend its freedom. A great deal of it owes to the libertarian tradition of that press.

That libertarian tradition does not owe to the Americans, an atrocious claim Americans like to make, pointing to their liberal rule, in contrast to the harsh Spanish one, as the inspiration for it. Nothing is farther from the truth. The libertarian tradition of the Philippine press began with the writings of the ilustrados, the Filipino intellectuals, of the late 19th century, many of whom lived in exile in Spain. Amid threats to their life, liberty, or careers, they vehemently protested the nature of Spanish rule in the Philippines—some of them the very rule itself. Marcelo del Pilar, who published the La Solidaridad (Solidarity), is now regarded as the guiding force of that movement. But Jose Rizal, who wrote two novels that fueled the Philippine uprising against Spain, is also clearly a pillar of it.

The Americans in fact first figured in the journalistic horizons of the country as a dark specter, or quite specifically as a censor. In 1908, less than a decade after the United States occupied the Philippines, El Renacimiento, a Spanish-language newspaper, ran an editorial savaging the American secretary of the interior for exploiting the Igorots, a tribal people in the Philippine north, in the guise of anthropological study. The American official sued the paper, and won his case in both the lower and higher courts. The Filipino publisher, editor, and writer of the piece were meted a stiff jail term and a fine. The jail term was never served as the American governor-general pardoned them. But the message was clear:
Henceforth, Filipinos might not take liberties with their new rulers in thought, word, or deed.

That libertarian, or indeed rebellious, attitude persisted after the end of the War and Philippine Independence in 1946, well up to 1972, when Marcos put the country under martial law. The pre-martial law Philippine press earned the reputation of being the freest in Asia, though it also earned the reputation of often being free with its facts—a reputation that hounds that press to this day. "Rambunctious" was the adjective generally attached to that press, a word that brought in extremely positive and negative connotations—connotations, namely, of being fiercely independent on one hand and breathtakingly reckless on the other.

On the whole though, it was a positive force for democracy. Without always articulating it, the press took an adversarial or crusading role in political life. Or as the Opposition put it, a "fiscalizing" role—one of those curious Filipino words that however tend to be very suggestive. The press—and the Opposition—frequently devoted their energies to attacking the administration for corruption, which—though it is quite a droll way of putting it—represented errant fiscal policy. Hence, "fiscalizing."

It was that "fiscalizing" role Marcos took exception to before martial law, most of the major publications at that time—television was a poor second cousin to print then—being strident in its criticism of his administration. The Manila Times and the Chronicle, owned by the Roceses and the Lopezes respectively, were so. And so was the Philippines Free Press, owned by the Locsins, which was the most influential publication in the Philippines before martial law: Its articles were virtually holy writ in many parts of the country. The first thing Marcos did after martial law was to throw all of them in jail.

Marcos declared martial law in September 1972, and that brought stasis and decay to the Philippine press. The newly created Department of Public Information immediately ordered all publications to clear themselves with it, a task it soon passed on to the Mass Media Council. A climate of censorship ensued, which saw "development journalism" elevated into the general principle of journalistic life. Simply put, "development journalism" meant seeing only the good things about government, which was the complete opposite of how the press viewed things before martial law.

Forthwith, with typical Filipino humor, journalists themselves began calling it "envelopment journalism," to refer to the envelopes that went the way of editors alongside the press releases of Malacañang. Those press releases became headline or front page stuff of the three major newspapers then in existence—The Daily Express (which the public promptly dubbed the "Daily Suppress"), the Times Journal, and the Manila Bulletin. Such were the wonders of development journalism that the three major newspapers did not only feature the same headlines and front-page stories but they also featured exactly the same content.

The swiftness and extent to which the press lapsed into timidity shortly after martial law were such that the secretary of information, Francisco Tatad, had to cajole the press to show some signs of life. The press did, criticizing several officials for abuse. Which much displeased Malacañang it warned the press against its propensity for "backsliding." The press promptly rediscovered the virtues of timidity.

The turning point took place in the early 1980s for several reasons. Chief of them, the opposition to Marcos's rule grew by the day, quite significantly drawing in many American officials to its ranks. The economy had gone into a tailspin, the weight of cronyism and the flight of capital finally sinking in. And Marcos was ailing—he was afflicted with lupus, resulting from kidney failure—a fact that led to speculation he was no longer in control of government.
Publications that were critical of Marcos began sprouting, among them Mr. and Ms., We Forum, and Who Magazine. Even the once staid Bulletin began taking a more independent stance in its editorial pages and magazine. Which promptly drew retaliatory action from government. In July 1981, Letty Magsanoc, the editor of Bulletin’s Sunday magazine, Panorama, was forced by her publisher to resign for writing a biting editorial on Marcos’s self-proclaimed lifting of martial law. A couple of years later, eight women journalists who had been writing critically of the Marcos regime were “invited” by the military to explain their political orientations. None of the group was detained, but the very wording of the invitation—if they did not appear, it said, they would “waive their constitutional rights”—left no doubt about its intention. The not-very-veiled effort at intimidation however little helped to alter the stance of the women.

Jose Burgos was one of the main pillars of the emergence of a critical press. He took a particularly courageous—and perilous—tack by running a series of articles in We Forum questioning Marcos’s much touted war exploits. The articles openly proposed that Marcos’s medals were fake, all of them having been obtained under dubious circumstances. On December 7, 1982, the military arrested Burgos and his staff on a Presidential Commitment Order, and padlocked the We Forum office and printing press. They released them a week later, presumably in the spirit of Christmas. The even graver effort at intimidation failed to daunt Burgos and company as well. Burgos promptly revived a sister publication of the We Forum, Malaya, which pretty much did the same thing.

The critical press eventually came to be known as the “mosquito press,” an apt description, and alongside the “parachute journalists”—the foreign journalists who descended on the country in droves, smelling blood—an even more apt description—they provided a worse bane than lupus for Marcos.

Marcos himself was under tremendous pressure from his American backers, chief of them the American president, Ronald Reagan, to offer concessions to the Opposition, if not indeed to implement democratic reforms. And so he could not muzzle the press as openly as he did during the 1970s. Several weeks before Marcos lost power, the Roceses revived the Manila Times, and almost overnight it gave the Manila Bulletin, which had gotten the farthest for being the least sycophantic of the martial-law newspapers, stiff competition. In February 1986, Marcos was overthrown in a bloodless uprising that eventually came to be called the Edsa Revolution, after the street where it was held.

The fairly long break in the tradition of a free press was over.

The post Edsa press

Both the country’s long tradition of press freedom and its experience with martial law itself have made tinkering with press freedom by any ambitious leader a not particularly easy task today. Filipinos now not only know what it means to have a free press, they know what it means not to have a free press.

The immediate post-Edsa situation saw an explosion of newspaper publishing and generally of a universal appetite for self-expression, doubtless whetted by the deprivations of martial law. The Opinion Page editor of the Manila Times would tell me at that time that his newspaper had to provide him an assistant because of the flood of letters that came his way. Some 50 letters a day were par for the course.

The Daily Express died almost immediately, its close association with Marcos sealing its fate. The Times Journal managed to stay on, but underwent all sorts of ownership
disputes—which persist to this day. The Bulletin continued to do well as a result of its fairly independent stance before the Edsa Revolution—and remains so to this day. It is the second most widely circulated newspaper in the country today, after the Daily Inquirer.

The Manila Chronicle, the Philippine Daily Inquirer, the Daily Globe, the Manila Standard—all these came on each other's heels after February 1986. The Manila Times, which had reclaimed its pre-martial law preeminence, was however soon rocked by a strike. The beneficiary of that strike was the Manila Chronicle which opened in June 1986 and which took in practically all the strikers. The Manila Times swiftly fell into disrepute, showing rather dramatically that the pre-martial law brand loyalties could no longer be counted upon to sell publications.

As in pre-martial law times, and indeed as in the last few years of Marcos's rule, the Philippine press took on an adversarial or "fiscalizing" role, much to the chagrin of Corazon Aquino, who had come to power on the wings of the "mosquito press." Like previous presidents, including Marcos, Aquino was taken to task in particular for corruption, which many newspapers depicted as rivaling the martial law version itself. Luis Beltran, a well-known journalist, coined a phrase for the Aquino administration that stuck—"Kamaganak Inc." or "Relatives Inc." It referred to the propensity of Aquino's relatives and friends to take over lucrative positions in the sequestered companies that had been seized from the Marcos cronies after February 1986 or to buy those companies for a song.

For the most part, Aquino respected press freedom, though she often complained about the lack of fairness and objectivity of her critics, which subsequent presidents would soon echo. "Sometimes," she told foreign correspondents in October 1990, "the country we read about is not the Philippines but a terribly cursed land in an outlandish world created by the imagination of reporters and columnists." But the only time Aquino really posed a remote threat to press came was when she haled Beltran to court.

The case stemmed from a column of Beltran after the August 1987 military coup attempt, where he said the president "hid under the bed while the firing was going on." Aquino took monumental offense at this and sued Beltran for libel. Beltran argued that he had used "hid under the bed while the firing was going on" as a figure of speech, a hyperbole for the president being nowhere to be found at the height of the coup. Most observers at the time sympathized with Aquino, finding Beltran's excuse completely lame. It did strain the limits of literary license to regard the description as a figure of speech. But most observers also thought the president should have settled for an apology in lieu of bringing the case to court.

Though defended by one of the ablest lawyers in the country, Beltran lost and was convicted of libel. He never served a jail term, however, nor was he fined, as the president promptly pardoned him. No one seriously regarded the suit as an effort to cow the press, and indeed whether it was meant to be so or not, it had little effect on press freedom one way or the other. The press continued to criticize the president as severely as before.

Fidel Ramos, who succeeded Aquino, had a reputation for being *pikon*, or one who easily took offense, before he became president. But, ironically, he turned out to have the best relations with the press among the post-Edsa presidents. He was the one who showed the greatest sensitivity to public opinion, at least as expressed by the press, reportedly going through all the newspapers before he began the day and underlining passages from news reports or columns that needed answering by his press office.

Ramos preferred the carrot to the stick, or PR to pressure, holding a forum once a week with the press, taking Metro Manila journalists with him in his provincial sorties, and generally establishing good personal relations with members of the media. On several
occasions, he went on to try to persuade the press to veer away from its adversarial role and take on a "more positive" attitude in reporting. But the press politely declined the offer, which it saw as little more than a rehash of old-style "development journalism", or being stricken blind about government's faults.

I myself said in a column in response to such a call that I agreed completely with the idea that Philippine newspapers should report only good news. The standard definition of news being anything that was rare or uncommon, I said, good news seemed the only thing left that qualified as news.

There was one time Ramos resorted to methods other than persuasion, and that was when the Philippine Center for Investigative Journalism did a story on Rosemarie "Baby" Arenas, the not-so-former presidential mistress whose persistent efforts to bask in glory was causing much embarrassment to Malacañang. The "Kabuki Lady," the press rather colorfully called her, in reference to the extent and color of her makeup— which might also have been an "objective correlative" for the extent of her ambitions. The PCIJ story found no takers. Newspaper owners, whom the president met with regularly, thought it prudent not to print it—reportedly after being apprised in not very subtle terms that the president would take great offense at it. There were no takers, except the Inquirer.

Only the Inquirer ran the story. And almost overnight, Inquirer founder and president, Eugenia Apostol, whose ownership of the Inquirer was a matter of legal dispute, had the cases against her revived. Eventually, she agreed to a settlement, which entailed selling her shares in the newspaper.

On the whole, however, Ramos did not wield an iron fist over media. He met regularly with media owners and publishers, preferring to use persuasion rather than coercion to get a good press. He was not beyond showing displeasure over critical reports, but other than on the occasion cited above, he did not go out of his way to get back the reporters or editors or newspapers that produced them.

The press today

That is not so with the current president, Joseph Estrada. At no time has press freedom in the Philippines been more threatened since 1986 than today. The threat comes directly from Erap, as the president is more popularly called, which is an inversion of "pare", the local slang for friend.

Not without tremendous irony. Erap was a former movie star and matinee idol, and therefore one normally expected to have good relations with the press. Or at least one normally expected to have an exceptionally high tolerance for intrigue and scandal, the two things the so-called "movie scribes" love to report, even inventing them where they cannot find them. That hasn't been so at all. Erap has not only been the least tolerant of bad press, he has been the most intolerant of it. Or, to use the local word for it, he has been the most pikon of post-1986 presidents.

Indeed, his levels of intolerance have risen to a level that constitutes a veritable battering ram aimed at the door of press freedom. Among the post-Edsa presidents, Erap is the only one to have used the stick in addition to the carrot to try to whip the press in line.

He did so twice during the second half of last year. The first time was in the case of the Manila Times. Since 1988, the Manila Times had been owned by the Gocongweis, a family thereto associated only with big business. It was into manufacturing, banking and finance, real estate, hotel and recreation,
telecommunications, and mining and oil exploration. It owned an airline and a line of shopping malls for good measure. Robina Gocongwei, eldest daughter of John Gocongwei, the patriarch of the family, took over the helm of the paper, and when she started, most people thought she would steer the paper into a generally conservative direction in light of her family's business concerns.

She thwarted those expectations by deciding to hire a former schoolmate at the University of the Philippines and a well-known leftist as her editor. That editor was Malou Mangahas, who in turn took in her own crew of liberal-minded persons to staff the paper. Far from being conservative, the Manila Times turned out to be exceptionally feisty, competing fiercely with the other newspapers in the exposé department.

One such exposé the president of the Philippines took monumental offense at. It came out on February 16 last year. Written by business editor Joel Gaborni, the article charged that the president had played "unwitting godfather" to a questionable deal. The deal consisted of a P17 billion contract awarded by the National Power Corporation to IMPSA, an Argentinian firm. Gaboni alleged that the deal showed a powerful group close to the president was at work in the Palace.

Reacting angrily to the story, Erap on March 9 sued the writer, editor and publisher of the story for libel. Ere the courts could rule on it, Robina apologized to the president in the front page of the newspaper. It didn't do much good. It merely demoralized the staff, several of whom quit the newspaper there and then. But it did not appease Erap.

Subsequently, as Robina would later disclose, the Gogongweis came under tremendous pressure to sell their newspaper. This included a sudden interest by the Bureau of Internal Revenue to scrutinize the family's tax profile, the same bureau that had just cleared Lucio Tan, the one person the previous administration had prosecuted for tax evasion, of wrongdoing. Indeed, that had gone on to defend Tan from the justice department, which had expressed a desire to pursue the case against him. The IMPSA story in fact was only the tip of the iceberg. Erap had been taking offense at the general drift and tenor of the Times stories, and had in particular also reacted vehemently to a photograph showing a fly buzzing around his face.

The one person who was especially eager to buy the Manila Times, according to Robina Gocongwei, was Mark Jimenez, a controversial character who had contributed mightily to Erap's presidential campaign and had been appointed to a non-paying position in government but one that offered many business possibilities. Jimenez had left the Philippines in the mid-1980s, leaving behind as well his old name, Mario Crespo, and had put up several businesses in America. He returned to his country of birth one day after the May 11, 1998 presidential elections. Rather hastily, it turned out. By then, a warrant of arrest had been issued against him in America for business fraud and making illegal contributions to the democratic campaign. The Americans have since been trying to extradite him from the Philippines. To no avail.

Jimenez in fact had not only found ample protection from a government he helped put up, he had found ample patronage there. No one—least of all the Gocongweis—seriously thought Jimenez was making the move on the Manila Times without the president's blessings or encouragement. Jimenez himself initially denied he was interested in buying the Manila Times, pointing to his son as the source of the initiative.

The Gocongweis eventually decided to close shop, but not before putting out a last issue that expressly accused the Erap government of choking it to death. Katrina Legarda, a cousin of the Roceses, the original owners of the Times, went on to publish the new Times, and surprised everyone by taking an independent stance, even managing to expel an Erap
appointee from the position of housing czar through an exclusive story about the estafa cases hanging on the head of the fellow.

Legarda, however, managed to hold on to office for only less than three months before being kicked out and replaced by a new crew. Jimenez is believed to be behind that crew.

The Inquirer was Erap’s second victim, though it ended up with a less tragic fate. Infuriated by the Inquirer’s continuing exposes on irregularities in public office, particularly those involving presidential kin—including the presidential mistresses and the kin of the mistresses—Erap approved an ad boycott of the Inquirer by movie producers. One day in mid-July last year, all the movie ads that had been regularly appearing on the Entertainment section of the Inquirer suddenly disappeared.

The extent of the president’s involvement in the movie producers’ boycott of the Inquirer remains arguable. One version has it that the president merely went along with the producers, who themselves offered it in exchange for tax incentives to local movies. Another version has it that the president himself expressly called for the boycott as a condition for the tax breaks. Whether one or the other, one thing is sure: The president completely approved of it. He defended it in all his public appearances, saying he could not blame the movie community if it wanted to show friendship and solidarity for a beleaguered patron.

If the president’s complicity in, or authorship of, the boycott was in doubt, it was dispelled in the following weeks by a similar boycott of the Inquirer by government agencies. Overnight also, many government ads—and some corporate ones—disappeared from the Inquirer, reducing the Inquirer’s income during the third quarter of last year, according to its officials, by as much as 20 percent.

Alongside these, the Inquirer reporters covering the presidential beat were de facto banned from covering the president. On at least a couple of occasions, the two Inquirer reporters to Malacañang were kept out of a press conference. The press secretary offered the excuse that the press conference was in fact not a press conference but an informal gathering. Being so, the president had every right to choose his guests. Yet, by the avowal of those present, these were “informal” gatherings that involved not-very-infomral question-and-answer exchanges with the president.

Still, alongside this, the president went on to lambaste the Inquirer at every turn—in his public appearances as well as in his radio program. Erap is the only post-Edsa president to enjoy a radio program of his own, in addition to the regular government programs on radio and TV. The Inquirer, he said was the one newspaper in the country that was trying to improve its circulation by printing lies about the president. The charge was patently absurd. The Inquirer had been number one before Erap came into power, and circulation has never been its problem. In fact, it faces more demand than it can supply. The Inquirer has been limiting its circulation to 250,000 because of paper costs.

Throughout all this, the president argued that he was not personally loath to criticism, but that he was loath to the Inquirer’s brand of criticism. It was terribly unfair, he said, consisting as it did of lies and personal attacks. He particularly minded two items that appeared in the newspaper, he said. The first was a photograph showing him to be shaking the hands of Ferdinand “Bongbong” Marcos Jr., the late dictator’s son, when he visited the Ilocos, hometown of the Marcoses. The other was a report on one of Erap’s sons, who conscripted an air force plane to take him and his retinue to a town in Mindanao, the Philippine south. The first item, the president said, was patently malicious as Bongbong Marcos was only one of many people he shook hands with in Ilocos. The second, he said, was below the belt, dragging members of the presidential family into the fray.
Despite the pressure—or probably because of it, the president's high-handedness stoking the fires of combativeness in the Inquirer's owners—the Inquirer maintained a feisty stance toward government. It defended itself thus:

First off, it said, there was nothing wrong with the items Erap objected to. The photograph showing Erap shaking hands with Bongbong Marcos was a perfectly legitimate interpretation of events. That the president shook hands with every Tom, Dick and Harry in Ilocos was not news. That he shook hands with Bongbong was. Was the interpretation wrong? Not at all. Obviously, the president did not go to the Ilocos to meet with every Tom, Dick and Harry. He went there to meet with the Marcoses.

The story about a presidential son using an air force plane to party in an exotic part of the country was an even more legitimate story, the Inquirer said. A story about the presidential son's sexual preferences would clearly not have served the public interest—other perhaps than as comic relief. But a story about the presidential son using public property for private ends did.

But more than this, the Inquirer said, the president had no business arrogating unto himself the power to decide which criticism against him was valid and which was not, and to act to punish or reward on the basis of that decision. It did not only violate the constitutional guarantee on press freedom, it violated common sense. What was to prevent any public official from saying he too had been criticized unfairly and banning the presumably erring reporter from covering him? What was to prevent any governor or mayor from trying to close down a local newspaper presumptively for lying or conspiring against him?

It was a patent attack on press freedom. But unfortunately, the Inquirer found itself alone in its fight against it. Other newspapers and television and radio stations either kept quiet or said Erap's actions against the Inquirer did not represent any threat to press freedom at all. Two popular TV personalities, Ted Failon and Korina Sanchez, attacked the Inquirer shrilly in their programs in ABS-CBN, the biggest network in the Philippines. Both were well known defenders of the president, Failon also serving as anchor for the government program, Jeep ni Erap—a clear case of conflict of interests.

Several newspapers proposed that the Inquirer had only itself to blame, its sloppy reporting having been an open invitation to the kind of persecution it got. Others said the Inquirer was exaggerating the problem, in an effort to make itself out to be the only independent voice in the Fourth Estate. Press freedom was in no danger of being curtailed, they said. Proof of that was that other newspapers continued to criticize Erap, showing that what happened to the Inquirer had not produced any significant chilling effect.

Those arguments were answered by several organizations, like the Center for Media Freedom and Responsibility and the Philippine Center for Investigative Journalism, which sympathized with the Inquirer. The CMFR and the PCIJ were particularly credible in light of the fact that they themselves in the past had repeatedly questioned the Inquirer's editorial judgment and accuracy in reporting. The two groups argued that the Inquirer's journalistic failings, if any, were a matter for the media community, and not the president, to rectify. Certainly, they said, the president had no right to rectify it with sanctions, particularly one that entailed depriving a newspaper of its source of income. It was curtailing freedom of the press.

More than this, they said, the Inquirer clearly wasn't punished for its vices, it was punished for its virtues. It wasn't punished for betraying its journalistic duties, it was punished for being faithful to them. It wasn't punished for falling into the worst excesses of Philippine journalism, it was punished because for living up to its best traditions. It had remained sharply critical of the president for reasons that were completely justifiable. For
saying that, the head of the PCIJ, Sheila Coronel, was taken to task by several newspaper
publishers. Surely, the griped, she was not suggesting that other newspapers were not doing
so?

I myself argued that the fact that the ad boycott on the Inquirer had not produced a
chilling effect on Philippine journalism did not testify to the impunity of the threat on press
freedom but to the stoutness of heart of the Philippine press. If press freedom continued to
flourish, it was no thanks to the president. It was thanks only to a Fourth Estate that
continued to dig deep into its libertarian past.

Not quite incidentally, the one newspaper that scoffed at the idea of the ad boycott
on the Inquirer representing a threat to press freedom, the Philippine Star, got the bulk of
the ads that left the Inquirer.

Assessment, prospects

On the whole, the prospects for the continued health of press freedom in the
Philippines remain bright. The resistance put up by the Inquirer—for that is what it was—in
the face of enormous pressure to back off on reporting presidential perfidy should greatly
strengthen the country's libertarian tradition. Certainly, it should make the president think
twice about taking sanctions against an offending newspaper again. This is so particularly in
light of the president's failing approval rating, as registered by recent surveys, a development
attributable in part to what happened to the Manila Times and the Inquirer. The president
has made no secret of his involvement—which he has allowed the public to interpret every
which way—in the moves against them.

But there are grounds for concern as well. The emerging pattern of ownership of
Philippine media is specifically a cause for grave concern.

Mark Jimenez, a presidential crony, has practically acquired the Manila Times, as
pointed out above Lucio Tan, an even bigger presidential crony, has money in several
newspapers. Or indirectly so: He has given "soft loans," the kind that do not carry any
pressure to pay on schedule or at all, to people who own or control those newspapers. One
newspaper, the Malaya, the newspaper that stood out in the fight against Marcos during the
last years of his rule but which Jose Burgos gave up after the Edsa Revolution, has become a
virtual Lucio Tan mouthpiece. It has shrilly defended Tan—it did so particularly when the
Ramos government was running after Tan for tax evasion—going to the extent of using
editorialized headlines for the purpose.

A scion of the Lopez clan, the owners of ABS-CBN, the country's biggest TV
network which accounts for three-fourths of TV viewing, has married the daughter of the
president—his daughter by his wife, though he has publicly acknowledged daughters by
other women—raising all sorts of problems about how the network will view the
presidency. Since the marriage of Beaver Lopez and Jackie Ejercito, ABS-CBN has enjoyed
more than the usual privileges accorded a network giant in covering presidential affairs. The
joke among media circles is that Channel 2, the ABS-CBN network, has replaced Channel 4,
the government station, as the official information network of the president.

Added to this is the new role of ABS-CBN as a launching pad for public office. The
trend was started by Loren Legarda, a well-known ABS-CBN personality, who ran for
senator in 1998 and topped the field. Three equally well-known ABS-CBN personalities are
reportedly itching to follow suit next year. They are Failon and Sanchez, the duo that has
defended Erap and attacked the Inquirer in equal measure, and Noli de Castro, an even more popular ABS-CBN figure. All three are being recruited by the government party.

Analysts and observers are already talking about the emergence of a "crony press" in the Philippines. In light of the developments cited above, it is a most arguable contention. If that trend intensifies—if more individuals close to the president buy into media—the threat to press freedom will likely take on the form of drowning out critical thought (in more ways than one) in media rather than suppressing it. The role of the Inquirer, the newspaper with the largest circulation in the country, becomes even more important in this respect.

But there are other countervailing forces.

Chief of them is the fierce competition between the various media. The same competition that strikes newspaper owners, publishers, and editors blind when a rival is being oppressed—as happened in the Inquirer case—is the same competition that assures that untold stories will not long remain untold. One newspaper's sacred cow is another newspaper's fair game. The same goes for the other media. Coupled with the Filipino's natural tendency to blurt out things—even coups are not kept secret, they are known well in advance—that competition remains fertile ground for press freedom to flourish. Or it remains a formidable redoubt for press freedom to find refuge in.

Currently, too, "investigative reporting" is enjoying immense popularity. An entire outfit—the Philippine Center for Investigative Journalism—is devoted to it. Indeed, an entire outfit—the Jaime Ongpin Foundation—has provided yearly awards for the best investigative journalism pieces. Newspapers and TV have also joined the bandwagon, regularly putting out special features, which are essentially in the nature of exposés, in their front pages and news programs. The quality is uneven, some being better researched than others—over the years, the PCIJ has developed a reputation for uncommonly high standards—but the general tenor is one of fearlessness. Whether or not the subjects of the exposés meet with political setbacks is of course another story entirely. Indeed, whether or not the public is merely developing a higher tolerance for official perfidy is another story entirely.

I am also personally greatly heartened by the spread of "interactive" technology, which has made the prospect of censorship or suppressing the news an increasingly difficult task in the long term. The email and the Internet are making media interactive in a truly profound way. During the Inquirer's confrontation with Malacañang last year, the Internet proved to be a no mean ally of the Inquirer, expressions of support from various organizations and individuals pouring to it from all over the world. The Filipino community abroad was particularly vocal in its support for the Inquirer, a community that had thereto counted many ardent supporters for Erap. It is not unlikely that a survey of the sentiments of that community would show even higher levels of disappointment, or even displeasure, toward the president than those expressed by the local community.

I am hopeful that that capacity of the reading public to react to events and issues almost instantaneously—a qualitative leap over the Letters-to-the-Editor section of newspapers—will eventually enable that public to influence the shape and interpretation of events and issues. That is what I mean by the email and the Internet making media interactive in a profound way. Over the long run, they should help greatly to enlarge the scope of civil society in general and enrich the libertarian tradition of the Philippine press in particular.

That is how press freedom in the Philippines pretty much stands today. It is alive and kicking for reasons that owe to the press's good genes and self-medication rather than to any external, or presidential, prescriptions for good health.
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