

Silent Assault: Multilevel Censorship as Media Repression in the Philippines

Abstract This article examines media repression as experienced by independent media practitioners. It explores two cases of media repression through interviews: the termination of the radio program *Ngayon Na, Bayan!* (*Right Now, People!*) in 2006; and the censorship of *Rights*, a series of public service advertisements in 2007. State censorship through laws, review and regulatory boards, and the military, together with self-censorship among media practitioners due to pressures in the media industry, constitute multilevel media repression. The silencing of alternative voices is a form of everyday violence (Scheper-Hughes, 2003; Kleinman, 2003). As multilevel repression exposes the insecurity of a government in a state of crisis (Wieviorka 2003), a counter discourse to silence (Greene, 2003) is created in the process.


Keywords multilevel censorship, media repression, state censorship, self-censorship, culture of silence, counter discourse

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Introduction

 The contrast in the freedom of the press before and during *Martial Law* (1972-1986) – from the freest to the most censored, notorious for killing and jailing journalists – has been underscored in literature on censorship in the country (Lent, 1974). After the Marcos dictatorship fell in 1986, the laws and corruption in place have been preserved for the benefit of the oligarchs in the reinstated *cacique* democracy (Anderson, 1988). The Philippine press is still under siege in this illiberal democratic setup.

Since 1986, the National Union of Journalists of the Philippines (NUJP) has documented 167 media practitioners killed nationwide, including the election-related massacre of at least 32 journalists in Maguindanao¹ (Committee to Protect Journalists [CPJ], 2009; NUJP, 2013; NUJP, 2014). After war-torn Syria and Iraq, the Philippines was identified as the most dangerous country for media practitioners based on the numbers of journalists killed last year (International News Safety Institute, 2014). In view of the widening gap between the rich and poor, corruption, election fraud, and other political crises, around 4,000 media practitioners in the Philippines charter the risky territory of telling stories as they are. Often, media practitioners must slip through the twin blades of state repression: threat and bribery, to keep the public informed (NUJP, 2010).

Figures on media killings reveal a grave assault on free press and freedom of expression in the Philippines; these figures, though, do not capture the experiences of media practitioners on the ground. To contribute to filling a gap in the literature, this paper explores media repression in two case studies: the termination of the radio program *Ngayon Na, Bayan! (Right Now, People!)* in 2006; and the censorship of *Rights*, a series of public service advertisements in 2007. Since 2008, I have collected interviews from broadcasters and videographers involved in the two cases. I chose these cases based on purposive sampling to represent a range of alternative media practices.

Many studies have already established how libel is used to stifle freedom of expression and the press (Berg, 2008; Levitsky and Way, 2010). This article attempts to examine the assault on freedoms of the press and expression that were less probed. I analyzed the interviews using select concepts from anthropology and political science, especially of everyday violence (Scheper-Hughes, 2003; Kleinman, 2003), to expose the state (Wieviorka 2003), amplify a counter discourse to silence (Greene, 2003), and describe media repression in the country.

This article hopes to contribute to the literature on post-dictatorship censorship during the Arroyo administration. Relevant incidents from other post-1986 administrations that show how censorship is maintained and reproduced up to the present supplement the two case studies upon which the article was based.

Multilevel censorship – the censorship of the state through its laws, review and regulatory boards, and the military, and the self-censorship of media practitioners pressured by corporate and other private interests unregulated by the state – could be employed in media studies to analyze media repression in modern illiberal democracies. While the state maintains a crucial role as it

does in traditional censorship, multilevel censorship captures the nuance of the collusion of the state and corporate interests to silence individuals, who may or may not be aware of their own censorship. It occurs when media practitioners have internalized the rubrics for survival in corporate media and adapt to the situation through self-censorship. It is important then to examine multilevel censorship to understand the quality of the freedoms of expression and of the press and, ultimately, the nature of democracy in the country.

Kodao Productions Rides the Airwaves

Despite the increasing popularity of television, radio remains a popular broadcast medium in the Philippines because it has the farthest reach in the archipelago. Prevalent poverty in far flung areas makes portable radio the most accessible source of information and entertainment (Lucas, 1999). About 844 FM and 400 AM radio stations (National Telecommunications Commission, 2012) broadcast to 11.5 million radio receivers in the country (Advameg, 2014). Even in city centers where TV is more popular, the radio would be on while household chores are accomplished, while food is served in restaurants, while shoes are tried on at shops, and while drivers negotiate the traffic in public vehicles.

The structure of the Philippines' radio broadcast industry was established during the American period. In the 1920s, Congress was given the authority to award franchises for broadcasting. The National Telecommunications Commission (NTC) was instituted to allocate the finite number of airwaves. *Ngayon Na, Bayan!* Co-host and journalist Danny Arao noted, "the system of allocation impinged on freedom of expression because the awarding of franchise is based on the kind of broadcast" (Personal Communication, March 2008). Dominated by media giants, progressive programs have little space on air.

The year 2001, however, presented an opportunity to sustain public interest in political issues through radio, following the ouster of former President Joseph Estrada. As part of the Estrada Resign Movement, radio station-owner Ramon Jacinto offered free block time to Kodao Productions,² a media producer critical of Estrada. The radio show *Ngayon Na, Bayan!* was then conceived as a program calling for good governance.

“At first we can discuss anything (on-air),” shared Benjie Oliveros, writer and former broadcaster of *Ngayon Na, Bayan!*. “The station gave us freedom to use alternative perspectives, choose topics, and even how these will be discussed” (Personal Communication, March 2008). The program easily earned a fair share of listeners, and it gathered awards and shared the prestige with DZRJ. It also gave the station any funds it could raise from soliciting advertisements and other sources.

There was nothing ‘unusual’ with the program *Ngayon Na, Bayan!* It contained news, commentaries, occasional songs, poetry, drama, and info plugs. It was planned monthly and assessed regularly. Research and meticulous writing were devoted to make each episode for quality that the host, through initiative, wit, and sense of humor, made interesting, entertaining, and so forth. *Ngayon Na, Bayan!* featured topics relevant to the times, such as corruption, oil prices, health issues, labor problems, and quality education. The hard work paid off: it was the only awarded program in the DZRJ AM radio. It received a Golden Dove Award from the Kapisanan ng mga Broadkaster sa Pilipinas,³ as well as citations from the Catholic Mass Media Awards.

Then there was conflict between *Ngayon na Bayan!* and DZRJ. The conflict started in 2004 and heightened in 2005, when the Oust Arroyo Movement crested, with talks of election fraud and the ‘Hello Garci’ scandal.⁴ The pro-Oust Arroyo Movement stance of *Ngayon na Bayan!* did not sit well with the position of the DZRJ

management. *Ngayon na Bayan!* had to negotiate with the pro-Arroyo station management to remain in business. It argued that keeping the program on air would give a semblance of balance. The station decided to keep the radio program, suggesting topics for the program to take up. “They said we should go easy with the attacks on the government, especially Gloria Macapagal-Arroyo” (B. Oliveros, Personal Communication, March 2008).

Born in Tuguegarao, Cagayan Province, Raymund Villanueva grew up listening to commercial radio programs. Raymund started broadcasting in 1994, and he was one of the original co-hosts of *Ngayon Na, Bayan!* He tried to prepare himself for this, first by taking graduate studies at the University of the Philippines and next by pursuing a diploma in radio broadcasting from the Ateneo de Manila University. “When I was given a chance to be a broadcaster of *Ngayon Na, Bayan*, I was very satisfied and fulfilled. We were able to prod issues deeper and entertain alternative points of view that were missing in usual radio programs,” he said (R. Villanueva, Personal Communication, March 2008).

The fulfillment, however, was laden with anxiety. Raymund recalled receiving threats through text messages and calls while on board the radio program. “We just chose to ignore them,” he said. A common strategy of those who attacked them was the labeling of the program as a propaganda machinery of the Left. Some messages implied that they were being monitored and that the military would arrest them. These led Raymund and his colleagues to suspect that, probably, the messages came from the military.

Raymund was further worried that the threats may not be empty; after all, he personally knew some broadcasters killed in the provinces. Extrajudicial killings and abductions compounded Raymund’s fears as a broadcaster. He said,

An avid listener of the program, Danny Macapagal of Gapan, Nueva Ecija was abducted in 2006. It was unusual for the program to end without a

call or a message from Danny. We were shocked by news of his abduction. This is besides our *Ngayon Na, Bayan!* regular guests who became victims of extrajudicial killings. Mr. Ric Ramos, President of Central Azucarera de Tarlac Labor Union in Hacienda Luisita; Ka Fort Fortuna, the President of Nestle (Labor Union); [Human Rights workers] Eden Marcellana and Eddie Gumanoy – they were all regular guests of *Ngayon Na, Bayan*, and later victims of extrajudicial killings (R. Villanueva, Personal Communication, March 2008).

The broadcasting continued, the threats ‘became part of the job’, and friction with the station owner worsened. Raymund recounted, “The station owner relayed Malacañang’s displeasure towards the program” (Personal Communication, March 2008). Both the *Ngayon Na, Bayan!* staff and the station management knew that the alliance that created space for the radio show was broken.

On February 24, 2006, the eve of the 20th anniversary of the Edsa uprising that drove the dictator Marcos out of Malacañang Palace, President Gloria Macapagal-Arroyo declared *Presidential Proclamation No. 1017 (PP No. 1017)*, placing the country under a state of emergency to quell an alleged coup plot against her administration. That day, opposition leaders were arrested, a publishing house was raided, and the axe fell on *Ngayon Na, Bayan!* Station owner Ramon Jacinto (RJ) chose the occasion to indefinitely suspend the radio program. The broadcasters were aware that RJ and First Gentleman Jose Miguel Arroyo were friends from school and later in-laws. “But those personal ties are not left at that, there springs political, economic, and financial ties. These are the ties that bind,” Benjie thought (Personal Communication, March 2008).

The state of emergency detained lawmakers from the party-list groups on charges of rebellion. A case was brought to court against *Ngayon Na, Bayan!* as a Left organization. Raymund recalled, “After the declaration of *PP No. 1017*, (an alleged)

government witness submitted an affidavit to the Department of Justice, claiming that in 1989, he was a member of *Ngayon Na, Bayan!* producer, Kodaio Productions. He further claimed that Kodaio was a propaganda arm of the Communist Party of the Philippines” (Personal Communication, March 2008). Kodaio had to address the allegations of rebellion by pointing out that the witness was not and could not have been a member of Kodaio because it was established in 2001. The complaint was dismissed due to lack of evidence.

Although unhappy about being cut off air, Kodaio Productions was not discouraged. Raymund and all other hosts of the *Ngayon Na, Bayan!* expressed a desire to go back on air and continue broadcasting. In 2008, Kodaio went on to produce a radio program that promoted children’s rights, the *Kaya Natin ‘To, Kids!*, which ran for three seasons. In 2010, its radio program *Sali Na, Bayan!* aired over DZUP, a campus radio station ran by the College of Mass Communications of the University of the Philippines, Diliman. Today, Kodaio airs the program *Tala-Akayan* weekly at Radyo Veritas. While it has further expanded to contributing content abroad through Radyo Migrante, Kodaio continues to support radio programs in the regions by providing info plugs, short segments, and training broadcasters for community radios.

Building Radio for Communities

One of Kodaio Productions’ core programs was Outreach and Networking. The program offered radio training to sectoral organizations that were interested with producing their own radio shows. Some of the community radio projects supported by Kodaio were those of Baggao, Cagayan; Sagada, Mountain Province; Tanauan, Batangas; and Iloilo City.

Raymund shared his experience in organizing community radio projects, saying

In April 2006, I was with the pool of trainers who helped develop the writers, reporters, broadcasters, and technical people of Radyo Cagayano. After more than four years of gathering support for a community radio by the alliance of peasants in Cagayan, *Kagimungan*, a test broadcast was finally realized. Before that, the 7th Infantry Battalion of the 5th Infantry Division of the Philippine Army tried to stop the radio station from operation. A soldier even hacked the hand of the *Kagimungan* President who came from the site of the radio shack (Personal Communication, March 2008).

The community radio in Baggao, Cagayan was an achievement of the peasants who asserted their right to create a space to air their views. As a trainer of out of school youth and peasants, Raymund was delighted that, “you can arm them with knowledge and competencies for their advancement.” The community was in turn empowered to create a forum that connected to and consulted with the populace to help determine their own future. From Metro Manila, Raymund got news that Radyo Cagayano, in its short span of test broadcast, became a popular form of communication and symbol of unity of Baggao.

In July 2006, the station manager of Radyo Cagayano frantically asked help from Manila. The manager reported that before dawn on July 2nd, a Sunday, six radio broadcasters were sleeping in the radio station, anticipating the first mass that they planned to broadcast. At around two in the morning, eight unidentified armed men entered the station. They were wearing military boots and divers’ watches, who addressed one as “Sir.” They battered the broadcasters, blindfolded them, cuffed their hands, and pushed them out the door. The armed men then set the station on fire. By dawn, the station was a pile of ashes. All the expensive broadcasting equipment were damaged beyond repair. The police responded at around nine in the morning.

In a press conference organized by Kodao Productions, the NUJP and the World Association of Community Radio

Broadcasters (Amarc)-Asia Pacific immediately condemned the sabotage of Radyo Cagayano as an attack on press freedom. The campaign caught international attention, but it fell short of rousing local action. Raymund said,

The original copies of the complaints and reports were submitted to the Commission on Human Rights, but these were archived. There was no further action from the Bureau of Fire Protection, Philippine National Police, and the Commission on Human Rights. All six victims were convinced that the members of the 7th Infantry Battalion did the attack on the radio station (Personal Communication, March 2008).

Revisiting the site of the station in July 2007, the anniversary of the attack on Radyo Cagayano, Raymund found that only two of the local broadcasters remained in Baggao. The station manager had left the country, while the rest of the staff had sought refuge in the city. The two peasant-broadcasters accompanied him to the site. They themselves had not gone there for a long time. Raymund observed, “They still feared for their lives. They were shaking and in tears when they recounted what happened after the attack” (Personal Communication, March 2008).

The independence of small radio stations and community radio stations affords them some distance from the influence of state and commercial parties. This gives them the freedom to speak freely, to explore the truth. Unfortunately, this also makes them the most vulnerable to attacks by those they expose. Geopolitically at the margins, broadcasters outside Manila have been the target of attacks from political warlords and, allegedly, even the military. For instance, eight out of 10 broadcasters killed in 2013 lived and worked outside the capital: Mario Vendiola Baylosis, Zamboanga Sibugay; Mario Sy, General Santos City; Fernando Solijon, Iligan City; Vergel Bico, Calapan City; Joas Dignos, Valencia, Bukidnon; Jesus Tabanao, Cebu City; Michael Milo, Tandag City; and Rogelio “Tata” Butalid, Tagum, Davao del Norte. Only Richard Kho and

Bonifacio Loreto were killed in Manila (NUJP, 2013; CPJ, 2014). All the masterminds remain at large.

The prospects of publicity and prompt public response may give a limited protection to broadcasters in the National Capital Region. Media in Metro Manila is far from being immune to repression. In 2005, the Philippine Center for Investigative Journalism (PCIJ) cried foul when they were attacked by the state for publishing the transcription of the wire-tapped conversations during the 2004 election canvassing. The *Manila Bulletin* office was also raided after the declaration of *PP No. 1017*.

Popularizing 'Rights' amidst Censorship

A *Martial Law* creation, the Movie and Television Review and Classification Board (MTRCB) still has the monopoly of approving films to be screened in commercial cinemas. The President of the Republic appoints all members of this body. Primarily fashioned to censor anti-dictatorship messages, it served administrations long after the dictatorship was deposed. Among the feature films that were censored during *Martial Law* was Behn Cervantes' *Sakada*, on the plight of sugar cane plantation workers. After the first EDSA, the MTRCB banned *Dear Uncle Sam*, which is about the US bases, and Lino Brocka's *Orapronobis*, which discussed the continuing Human Rights violations in post-dictatorship era. During Gloria Macapagal-Arroyo's term, the MTRCB censored President Estrada's bio film, a short film about the Guimaras oil spill, and the airing of GMA-7's I-Witness documentary about an indigenous tradition of giant wooden phalluses (Godinez, 2007). In September 2007, a group of young filmmakers were surprised by the MTRCB censorship of their compilation of public service advertisements on Human Rights.

The *Rights* project started when Jonas Burgos disappeared in April 2007. According to police reports, he was abducted by armed men in a busy mall in Metro Manila. Sunshine Matutina, a

young filmmaker and TV show editor, recalled that she met Jonas two weeks before the disappearance through Jonas' brother. After the initial shock, Sunshine understood that she had to do something to help find Jonas. Son of the late press freedom advocate Joe Burgos, Jonas became an icon of victims of enforced disappearances. As part of the Free Jonas Burgos Movement, Sunshine proposed that they tap independent filmmakers to help popularize the campaign to surface those who were involuntarily disappeared.

"I was not aware about the phenomenon of enforced disappearances (before Jonas was abducted). We need to make (films exposing Human Rights violations) to inform people (who were) like me," explained Sunshine (Personal Communication, March 2008). She shared the vision with Krista Dalena, also an independent filmmaker then connected with the multimedia collective Southern Tagalog Exposure (STX). It was decided that the form to be explored by the independent filmmakers are public service advertisements (PSAs). Ads are usually intended to be screened on TV, the airtime of which could run into thousands of pesos per second, depending on the time slot and TV network popularity. Unlike most commercial ads, PSAs are in turn very short, usually running under a minute – posing a challenge to the producer to deliver a message within the time limitation. "We saw that it was more feasible to make short works to have filmmakers commit *pro bono* to a project," Krista explained.

The very first compilation that came out in digital video disc (DVD) format contained nine PSAs. Informally launched in August 2007, the contributing artists included Jonas Burgos's brother JL and young independent filmmakers like Sunshine Matutina, Krista Dalena, King Catoy, and Pam Miras. Sunshine's ad asked the audience if they would let a loved one disappear before they speak against enforced disappearances. Krista reminded the audiences of the sacrifices of the previous generation, showing a photo of

press freedom advocate Jose Burgos, with sons Jonas and JL. As the image of Jonas vanishes from the picture, the text read, “Do not let their legacy disappear.”

Krista said that, “the campaign against enforced disappearances has been expanded (to include the campaigns) against extra-judicial killings, for press freedom, and solicit support to free political prisoners” (Personal Communication, March 2008). Krista’s other ad was a recording of a speech made by a girl named Adelisa, who spoke about how she learned about Human Rights at a young age, and questioned if the military forces knew about rights at all. Against a black screen, the text revealed that military forces summarily executed Adelisa’s parents. Meanwhile, King’s piece depicted a torture scene inspired by the statement of abducted Pastor Berlin Guerrero. It is a commentary about the *Human Security Act of 2007*, which allows for suspects to be legally detained for up to three days. Not the least was Pam’s ad, which featured a TV newscaster delivering untruthful “good news”, and later showing that the newscaster was delivering news at gunpoint. She concluded that the real “good news” is a free press. After the initial launch of handful ads, the participants contacted their friends in the indie scene to solicit contributions to the *Rights* project.

Krista was also a programmer of Cinekatipunan, an offering of the defunct art space Mag:net Café in Quezon City. Cinekatipunan featured free daily screenings of independent films, and the *Rights* PSAs were projected before the scheduled screening. The program attracted film buffs, critics, artists, and students from nearby universities. *Rights* additionally toured schools and other venues. Sunshine and Krista arranged for the screenings and answered questions from the audience. Money for the reproduction of the DVDs also came out of their own pockets (Personal Communication, March 2008).

Meanwhile, the *Rights* compilation was growing to include other new and established independent filmmakers, including RJ Mabilin. RJ's ad "Gloria" was an animation of a certain Gloria, whose nose grew longer every time she said, "I am sorry." This was the artist's commentary on the content of then President Gloria Macapagal Arroyo's public apology in 2005 for a "lapse in judgment" when she called Elections Commissioner Virgilio Garcellano during the canvassing of the 2004 elections.

An initial meeting with the filmmakers of the Independent Filmmakers Cooperative (IFC) presented the possibility of the formal launch of *Rights* at the Robinson's Galleria Indie Sine. Ran by IFC, Indie Sine projected independent films in a commercial movie house in a mall. The space was a breakthrough in popularizing independent films that the IFC lobbied and fought for. Still, the venue could only screen MTRCB-approved and rated films. It was arranged that *Rights* would seek an MTRCB permit, and that it would be launched at the Indie Sine on September 21, the anniversary of *Martial Law* declaration. Krista shared that back then, "(MTRCB) was the least of our worries. There were even those who commented that the works [were] not as fearless as our usual works" (Personal Communication, March 2008).

The MTRCB viewed the compilation on September 18 and classified it as an "X," or *Not for Public Exhibition, for the following reasons: "Scenes in the film are presented unfairly, one-sided and undermines the faith and confidence of the government and duly constituted authorities, thus, not for public exhibition."* Ma. Consoliza P. Laguardia, MTRCB Chairperson, signed the notice. It made clear that an appeal for a second review could be made in five days.

Krista teased Sunshine that she was emotional about the censorship. In truth, Sunshine was outraged, "Anything that's real may undermine the faith of the people in the government. Why shoot the messenger?" (Personal Communication, March 2008). The content of their works on extrajudicial killings, enforced

disappearances, curtailment of press freedom – were not inventions of the filmmakers, but were reported facts recognized by the Commission on Human Rights. Pam Miras, a contributing filmmaker to *Rights*, remarked,

In order for you to show (a film) publicly, you have to go through this agency (MTRCB). People you did not even elect, people who earn money off your taxes, who probably don't know much about film as you do – watch your film, and then give you a rating. Their biases determine who would be able to see it or if it would be screened at all. If you did not like the rating, you have to pay them again (for another review). If you financed your own projects, there would be less chance of recovering what you spent (Personal Communication, March 2008).

When the MTRCB was set-up, digital filmmaking did not exist yet. Large film companies like Viva and Seiko dominated the film industry. Their budget ran to millions, and they were unaffected by the MTRCB fee. Early in this decade, independent filmmakers have been using digital technology to produce quality films at a lower cost. However, the MTRCB does not distinguish between the two kinds of production.

When the notice from the MTRCB came out, the *Rights* filmmakers were united in denouncing it. A press conference was held in the morning of September 21, and the supposed launch late that afternoon at Indie Sine was transformed into a forum about censorship. Being a collective of artists worked in their favor. In the past, it was impossible to be shown on TV prior to MTRCB approval, not to mention the cost of placing an ad. Now TV networks covering the press conference could shoot clips from the censored PSAs and air excerpts of the “controversial” film as part of the news. Furthermore, since its broadcast, more people demanded for the compilation. Written statements of support from the independent film community poured out. The versions uploaded on www.youtube.com gathered more hits than ever. The *Rights* filmmakers have won.

A week after the X-rating of *Rights*, the second review resulted in a Parental Guidance-13 rating. This only proved that MTRCB's standards and qualifications depend on the character and moral stance of administration-appointed board members. Two different sets of board members judged the same work differently. The ambiguity and subjectivity of the board members could then be challenged.

Roadblocks

King Catoy finished Development Communication in UP Los Baños, trained as a theater actor and lights designer, and studied sound design at Mowelfund Film Institute. Soon after, he co-founded STX a collective of young artists committed to creating films for the marginalized. King has been making video documentaries for more than a decade. He reflected,

In my experience, it has come to a point that if you made films and documentaries that confront the status quo..., there's a chance that while you are at it, you are hurt, detained, or killed. Of course, the government does not approve of what you are doing. It will do everything to stop you. It has never been easy for our part. The people's organizations we work with for our videos have been threatened and harassed in every way that could be imagined. Because we are with them, these also happen to us (Personal Communication, March 2008).

STX has been documenting fact-finding missions with the Human Rights organization Karapatan in the region. Fact-finding missions were organized when there were reports of Human Rights violations, such as abductions or massacres in remote areas, out of mainstream media's reach. The coverage of these missions was a staple material for STX documentaries. Fact-finding missions seemed to intimidate military personnel. King recounted,

Roadblocks like check points are set up so that the site could not be accessed. If the victim is in their hands, or if the family has something to

say, you cannot reach them. They would really measure how brave you are (Personal Communication, March 2008).

Southern Tagalog includes the provinces of Batangas, Cavite, Laguna, Rizal, Quezon, and the islands of Mindoro and Palawan. Until 2004, Mindoro was heavily militarized under the command of then Major Jovito Palparan. Peasant leaders, student leaders, even progressive politicians have been victims of extrajudicial killings. Still today, Southern Tagalog is one of the most militarized regions. King himself was abducted by the military. He remembered that,

While we were finishing the documentary *Echo of Bullets*, Eden Marcellana, the producer of the video and the Secretary General of Karapatan, and I, (were on a fact finding mission when) we were abducted in Oriental Mindoro. We were of course, scared. The perpetrators did not identify themselves, but it was clear to us that they were military men – the only ones who would have the motive (to stop us). I was lucky that I only suffered mental trauma, but the two leaders we were with, they were found dead. When those who abducted us set me free, they said, “We will give you one more life to live. Don’t ever join those (missions/ organizations) again” (Personal Communication, March 2008).

King was convinced that the content of their films were relevant, and “should be pursued whatever happens.” However difficult the circumstances, “the lack of funds, a level of (physical) insecurity, (I know that) what we are doing is right. I can’t live knowing what is right, and not do it” (K. Catoy. Personal Communication, March 2008).

Abductions, disappearances, and killings may be among the worst repressive measures in military and democratic regimes. It is alarming that in the few years of the Benigno Aquino III administration, 825 cases of illegal arrest, 86 accounts of torture, 19 enforced disappearances, and 169 extrajudicial killings were reported from July 2010 to December 2013 (Karapatan, 2014). Reportedly, 27 journalists had been killed, which is the worst record under any administration (NUJP, 2014), to date.

Multilevel Censorship

During *Martial Law*, President Ferdinand Marcos instructed his press secretary to form a Press Consultative Panel, a self-regulatory body for mass media that would “deepen understanding between the government and the media,” and to “take active steps that would make censorship and the present guidelines decreed by the government unnecessary” (in Lent, 1974, p. 53). Making government censorship unnecessary may be interpreted positively – that the government aimed to end censorship, or worse – that media practitioners would censor themselves voluntarily.

Sunshine disclosed that she practiced self-censorship as a filmmaker after the MTRCB incident. Should another film of hers be censored, money and support available would be her considerations. As producer of her own films, Sunshine had to work for a mainstream network to raise funds for her next film project. There was also an additional pressure for her to provide for the medical needs of a sick parent. She hesitantly connected the lack of government health services with the suspension of her film projects.

Like Sunshine, Pam’s first job was with a TV network. She next tried the corporate world while teaching at a university. She went back to work for a TV network, writing for a soap opera, so that she could make films that she wanted. The Gawad Urian, a respected local movie awarding body, had acclaimed Pam. Before a band played at a local bar, She talked about self-censorship in relation to brainstorming for a TV drama series, saying

You can’t make soap about gay people⁵ nor make soap with a rebel for a lead. There are rules like that. You self-censor. Networks will tell you this is still unacceptable for Aling Bebang, a collective personification of Philippine TV viewing audience. So you will have to think in that box. It’s a business; they don’t want to turn people off.

[It is] escapist. Instead of enlightening, it makes them turn a blind eye on

reality. People don't want to confront what's real anymore; they want to live in an ideal life where the poor can marry the rich. So, is this curtailment of the freedom to express? I think it is, at an even deeper level. No iron hand says don't do this or that, but on this same plane, other narratives are muted. Instead of telling real stories, you focus on fabricating fantasies and illusions. That is my experience (P. Miras, Personal Communication, March 2008).

Prime time Philippine TV has a surfeit of *telenovelas* or soap operas. The highest rating shows are the likes of *Mari Mar*, copied from last decade's Latin soap of same title. Korean *telenovelas* have also become popular. Local fantasy series such as *Dyesebel* and superheroes *Darna*, *Mulawin*, *Krystala*, *Lastikman*, and *Super Twins*, fare better than late night news. The bottom line is that fantastic shows sell. Pam said, "My biggest worry is when people begin to think that these are quality shows. I fear for the Philippine movie and TV industries, if we become contented with fantasy-type works."

Most mass media in the Philippines are run by advertisements. Even the largest broadsheets in the country cash in on ads that the inflow of funds from circulation pales in comparison. This makes the local media dependent on private businesses and the government, which are the biggest advertisers. Ads could be the reason why large media networks practice self-censorship. During *Martial Law*, Marcos paid movie advertisers to withhold ads in the anti-government *Manila Times* (Lent, 1974). During Joseph Estrada's administration, the Office of the President sued the *Philippine Daily Inquirer* for publishing an interview that implicated him in a money laundering scandal. Estrada then bargained with the *Inquirer*, threatening to pullout all government ads from the newspaper (CPJ, 2000). The Arroyo government also threatened to create a clearinghouse for government ads.

Other private interests, the big corporations in particular, also contribute to media repression in the country. Probably the most

pronounced media killing during the current administration is that of DWAR anchor and anti-mining activist Gerry Ortega. In response to the approval of large-scale mining by the Palawan Council for Sustainable Development, Ortega had planned a campaign to gather 10 million signatures for the banning of mining operations in Palawan. Former Palawan governor Joel T. Reyes and his brother Mario T. Reyes, former mayor of Coron, allegedly, masterminded the murder on January 24, 2011. The arrest orders against the brothers stand despite the Court of Appeals dismissal of the murder case. In essence, the Court of Appeals ruled that Ortega's killing was without a mastermind. Suspects in the killing of many broadcasters from the regions like Gerry Ortega and journalists in the Maguindanao Massacre were local politicians who, allegedly, pilfered taxes or had vested interests in mining and logging industries.

Freedom from commercial interests created the crucial space that fostered *Rights*, *Ngayon Na, Bayan!* and *Radyo Cagayano*. The space liberated from corporate media enabled the journalists and artists to transcend self-censorship. The *Rights* project appealed to independent filmmakers because there was a common yearning to create meaningful films. "I wanted to use my skills for something else other than money," disclosed Sunshine. The contributors to *Rights* did just that. Similarly, *Ngayon Na, Bayan!* producer Kodao Productions was a non-profit entity, giving its broadcasters the freedom to exhibit fearless views. Expectedly, these ventures were met with censorship by the state and their corporate ally in DZRJ. Media practitioners, rightly or wrongly, attributed to the military the death threats against Raymund, King's abduction, the burning of *Radyo Cagayano* station, and the rebellion charge against Kodao Productions.

State violence against *Ngayon Na, Bayan!* and the *Rights* project may be seen as product of a crisis of the nation-state. A tool in this analysis is Wieviorka's (2003) 'disarticulation' concept,

which views violence as the result of the perpetuation of an increasingly artificial or deliberate manner, the world they are losing. Such is the insecurity of a state in crisis that it waves a fascist hand at critics. The *Cybercrime Prevention Act* in September 2012, signed during the current Aquino administration, is a manifestation of a state in crisis. The law initially allowed for warrantless online data collection by the police and website shutdowns. It was intended to prevent, among others, online libel, which was punishable with up to 12 years imprisonment. Early this year, the Supreme Court deemed certain provisions of the *Cybercrime Prevention Act* unconstitutional, in particular, the warrantless blocking of sites and police collection of data, as well as considering spamming as a crime. Overall, it upheld the constitutionality of online libel, but only original authors are punishable by law, not those who comment, like or share libelous content. However, the fact remains that the state is unable to police cyberspace uniformly, so that the law may be applied unevenly against its critics. Therefore, the provisions on libel in the *Cybercrime Prevention Act* could heighten the online self-censorship of journalists, artists, and the public.

While the state is constitutionally bound to guarantee freedom of speech, expression, and of the press, it has created and maintained laws and institutions to protect itself such as the *Cybercrime Prevention Act*, the NTC, and the MTRCB. The commercial character of television and radio giants becomes instrumental in guarding the interests of the status quo. The NTC and MTRCB are part of the 'ordinary' and taken for granted nature of censorship. Their revenue-generating operations have become facts of Philippine reality, not unlike poverty, inequality, and political dynasties. Coupled by the routinized brutality of extrajudicial killings of media practitioners and activists, anomalies have become ordinary and are expected and tolerated.

The normalization of repression is comparable to Nancy Scheper-Hughes' observations in her monumental fieldwork in the *favelas* of Brazil (1992). She argued that the perpetuation of deprivation, inequality, and alienation as 'everyday violence', which the people readily accept, the state and its instruments actually perpetuate them. She underscored impunity in systematic economic deprivations, such as lack of jobs and inadequate education and health care programs. This rings true in the Philippines, in economic as well as civil and political contexts – when state or private interests, including killings (see Conde, 2013), get away with repression. That no mastermind has been apprehended in the murders sends a chilling effect to media practitioners. Consistently, fear is instilled in people (Scheper-Hughes, 2003) by the same apparatuses that protect the state. This was apparent in the folding up of Radyo Cagayano following harassment and arson. This was equally true in the labeling described by Raymund in the case of *Ngayon Na, Bayan!* The threat felt by Raymund from the mere information of disappearance and killing of listeners and guests of his radio show, as well as news of killing broadcasters in the provinces, are as real as King's abduction.

Article 7 of the *Philippine Constitution* guarantees the right of the people to information on matters of public concern. This is a right often trampled upon, blockaded, by institutional censors and commercial interests. There are numerous roadblocks to delivering important information to audiences as King's experience proved. There is, too, Pam's concern about the propagation of diversion in entertainment, the present opium of the masses. Commodifying fantasies and infotainment is the opposite of what Kleinman called violence of appropriated and naturalized images of violence in the media (2003). I contend that not just Kleinman's violence of image but also the fantastic commodities, both ends of the continuum, violate the right of the people to know. These taken for granted hostilities prevent the public from reacting to a given situation,

perpetuating inequality and benefiting those in power. Large TV networks do this consciously for the money, but media moguls also stand to gain by keeping good relations with the government. As a result, Scheper-Hughes' idea of a culture that is hospitable to everyday violence is well reproduced by misinformation and lack of information.

Normalized repression, with impunity, and misinformation and lack of information render the masses numb to otherwise alarming events. People are made wary of the recurring news (or non-news) of yet another political abduction, detention, or killing. Some people blame the victim media practitioners and activists for making themselves vulnerable by going against politicians or corporations. A culture of silence by apathy, if not intimidation or ignorance, is fostered.

A culture – as lived, dynamic, and shared experience, is nevertheless contested. Media practitioners, collectives, or individuals speak out to counter this culture of silence. For instance, since the *Cybercrime Prevention Act* was passed. BBC News has reported that media practitioners, internet users, and rights groups in the Philippines have staged online and street rallies, many Facebook users have made their profile pictures black, and anonymous activists hacked into government websites in protest (2012). At least eight petitions by various groups tried to challenge the constitutionality of the law. A crowd-sourced *Magna Carta for Internet Freedom* was presented to the Senate in 2013 that if passed, repeals the *Cybercrime Prevention Act* (Carlson & York, 2014). Even as the Supreme Court upheld the constitutionality of online libel, many groups in the Philippines and abroad have registered their objection, not the least, online.

Conclusion

The experience of media practitioners involved in *Ngayon Na, Bayan!* and *Rights* suggest an operation of multilevel censorship.

Media repression takes on various forms and at various levels, and it is normalized by the state to preserve itself. The state further colludes with corporate interests to silence critics and crush dissent by fostering an order where individuals are encouraged to practice self-censorship. In capitalist media production where journalists and artists are employed, self-censorship becomes necessary to survive. Multilevel censorship occurs when media practitioners observe self-censorship for survival in the media industry but do not see this as censorship at all.

Normalized repression, with impunity, and misinformation and lack of information make media practitioners silent by intimidation and the public by ignorance and apathy. A culture of silence may, however, be contested and shaped. In the quiet yet glaring assault on the freedom of expression and of the press, independent efforts such as those of *Ngayon Na, Bayan!* broadcasters and *Rights* filmmakers negotiated multilevel censorship and sought to break the culture of silence. Working within a limited democratic space, they utilized media to talk about rights as the opposite of the inequalities and deprivations. Talking about rights proved to be a counter discourse to silence (Green, 2003).

The *Rights* most powerful message is about freedom of expression. It makers contemplated different aspects of Human Rights in their own PSA projects and eventual confrontation with the MTRCB. Their experiences and learning have contributed to politicization that continued long after the compilation was packaged. The project, in a sense, became a reflexive discourse on Human Rights. The rights of those who talked about rights became the subject.

Coming from diverse paths, concerns, and aesthetic standards, the filmmakers of *Rights* and broadcasters of *Ngayon Na, Bayan!* shared a common threat – of being unable to deliver

their work to audiences. Resistance and resilience resorted to and created spaces to counter repression. Both called for press conferences and wrote to broadsheet newspapers to denounce subjective censorship (Matutina, 2007). In the case of *Rights*, this was a form of negotiation, fortifying the appeal for a more favorable review. The seeking of spaces in bars, schools, the streets, and even the internet to continue screening *Rights* was a coping mechanism as well as resistance against enforced silence. The rebel reproduction of the compilation, additionally, countered the suppression imposed by the MTRCB. It was in these forms that the small screenings added up to sizeable audiences in the information drive. Similarly, despite setbacks from *PP No. 1017*, Kodao Productions consistently made alternative radio shows and continued to support community radios.

Democracy in the Philippines has been long under siege by multilevel censorship. Ironically, as the state becomes more repressive, the more it shows a lack of confidence in its own legitimacy. As it tries to preserve itself, unwittingly, it creates its own nemesis – resistance in alternative media projects such as *Ngayon Na, Bayan!* and *Rights*. The initiative of artists seeking venues and creating spaces for alternative advertisements, journalists telling the truth despite threats, and the public keeping online and street vigilance, defy repression and counter the culture of silence.



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Notes

¹ The Maguindanao Massacre or Ampatuan Massacre refers to the killing of journalists and a group of women and children on their way to the capitol to file a certificate of candidacy on November 23, 2009. It is the worst single attack against members of the press. It is also the worst incidence of political violence in the country. See Mercado, 2010 for a comprehensive account and Conde, 2013 for case updates.

² Established in 2001, Kodaio Productions is an awarded multimedia group, which produces radio shows, documentaries, and other films.

³ The Kapisanan ng Mga Broadkaster sa Pilipinas was organized during Martial Law (1973) to provide a mechanism for self-regulation of the broadcast industry.

⁴ In 2004, incumbent President Gloria Macapagal-Arroyo, who was running for the presidency, called Commission on Elections Commissioner Virgilio Garcellano to ask how her votes were in Mindanao. Allegedly, he promised her that it was being taken cared of (see PCIJ transcription).

⁵ In 2013, *My Husband's Lover* came out as the first local 'gay-themed soap opera