The SOPA 2010 Awards for Editorial Excellence
Keynote Speech by Marites Danguilan Vitug

June 8, 2010

Distinguished members of the Society of Publishers in Asia, my fellow journalists, ladies and gentlemen, good evening.

In March, after we launched my book on the Philippine Supreme Court, a friend wrote me a note—and I quote: "If this were some other country, you will be doing the rounds of talk shows and media interviews, signing a new book deal, getting paid to make speeches, syndicated columns, and lots of other money-making opportunities—all because of this book. Thank God you hate money!"

Well, I don't really hate money. But what my friend wrote says much about my country and the state of journalism and book publishing.

Instead of a new book deal, I got a 13-count libel suit. Instead of a syndicated column, I received death threats. Thank God, these threats weren't syndicated.

So being here with you tonight to share my story and that of my country—which, hopefully, is in the cusp of change as we await our new president—is a great moment. Thank you for inviting me. It's truly an honor to be here.

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The troubles we encountered in getting my book off the press says a lot about the Philippine Supreme Court and its awesome power. Conventional literature tells us that the Supreme Court is the least powerful branch of government because it has no hold over the purse and the sword.

Yet, what we experienced in the past months shows that the Court wields a quiet kind of power derived from its *mystique,* a certain aura of mystery which comes from its silence, its culture of secrecy.

There is power from being the least known branch of government, the least scrutinized, the least transparent.

There is power from being at the top of an exclusive club, where the public has little access and is given only a rare glimpse.

The other part of this story shows the swath of reality that independent publishing and independent journalism have not yet taken root in Philippine society.

I approached the largest publishing house in the country to publish my book. They were going to distribute it as well through the leading book store chain in the country.

We had the project going—until the manuscript was completed. Their lawyers advised them not to publish the book. When I received the news over a lunch meeting at a Mediterranean restaurant, the salad topped with feta cheese lost its zing and the grilled chicken suddenly tasted flat, bereft of all its spices.

This was a business decision as the owners are among the richest in the country and own businesses outside of publishing. Part of doing business in the Philippines means keeping good relations with the courts—in the event that they get embroiled in legal troubles.

That disappointment, however, was short-lived.

Newsbreak, a place that nurtures independent journalism*,* picked off from where Anvil left and became the book's publisher. I have dedicated this book to the team at *Newsbreak,* my friends and colleagues.

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Even if I lost my original publisher, they still agreed to distribute the book—until the book created buzz and apparently worried some people on the Court. They then decided they were no longer going to distribute the book.

Losing a big distributor was like taking away eighty percent of audience reach. It is also like turning down the volume of this microphone so that very few can get to hear my voice and the stories I tell.

I am generally a cool person so it was only then that I started to consider dire scenarios which some lawyers earlier warned me about but I had disregarded. As you know, you gather three lawyers and you get four different opinions.

I then took the possibility that one of the Supreme Court Justices would file for an injunction. At the time, the book was still in the printing press. What if they, literally, stop the presses? That only happens in the movies!

That scenario spooked me. Suddenly, the name of the printing press became TOP SECRET. It's as if we, in the office, when talking about the book, were discussing a contraband item.

The printing press understood our situation and agreed to deliver the books to three different places. We thought it was most secure to scatter them rather than put them all in one place.

Mercifully, no such thing happened.

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That's not yet the end of the story.

One Sunday in March, while I was out of town taking a break from all the noise in Manila, the respite was broken by calls and text messages as news of a libel case hit me.

A Supreme Court Justice filed a 13-count libel case against me. This may be the first time in the Philippines that a sitting Justice has filed a libel suit versus a journalist.

Then came the threatening text messages. The sender wanted to upset me, saying that I should have been one of those killed in the Ampatuan massacre—but who knows, I may be next. Ouch! (The Ampatuan massacre refers to the brazen killing of 57 people in the province of Maguindanao in southern Philippines, including 32 journalists.)

The Supreme Court spokesman dismissed these threats as "funny" and "ridiculous." He insinuated that the threats were a gimmick to "generate sales for the book."

These reactions are also due to the fact that this is the first time that a book pierces the cocoon of the Court and there are personalities who do not take accountability seriously. They do bad things and they expect to get away with these.

If there is any sadness I feel, it's a tiny core of profound sadness that, in Philippines society, we seem not to understand the meaning of independence, the value of research, and the role of journalists. There is such a thing as heeding the call of our profession—to shed light on dark corners.

Still, I am convinced that it is important to have written this book even if, as some academics like to say, "it's only journalism."

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Let me share some thoughts on impunity in the Philippines.

The reaction of the Supreme Court spokesman to the death threats is more than pique. His remark is significant because, as the Committee to Protect Journalists noted, and I quote, it "highlight the deep-seated sense of denial among many Philippine officials" on the "record of deadly violence against the press and the government's inability or unwillingness to combat the problem."

The National Union of Journalists of the Philippines weighed in, saying that treating death threats as a "laughing matter can only worsen the culture of impunity."

Impunity. The Philippines holds a special place in the pantheon of countries that love this word and beyond that, countries that live with it and because they do little to stop it, promote it.

The Philippines ranks 3rd in the Global Impunity Index of the CPJ. We trail behind Iraq, number 1, and Somalia, number 2. This is not a proud place to be in. We're not at war, we are a so-called democracy. But yet, look at our impunity index.

The CPJ has recorded 55 unsolved murders in the Philippines over the last decade. Since 1992, close to 70 journalists have been killed.

These numbers show the lack of political will to go after the perpetrators. We also have a weak judicial system—we lack judges and the caseloads are heavy. As of 2003, close to 800,000 cases were pending in the courts. We have about 2,000 judges—so the situation seems impossible—definitely a thousand years behind CSI.

Law enforcement lacks rigor, many of our police and prosecutors are poorly trained and these agencies lack resources. Corruption exists in the law enforcement agencies.

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All these bring me to what I like to call the paradox of media and democracy in the Philippines. The good news is: we have a lively democracy, our press is generally free—acknowledged as the freest in Southeast Asia—but yet it is not a model of good journalism. And the press is not completely independent.

The nature of Philippine society—we are an elite democracy and a feudal society with strong vested interests—hobbles our independence.

Democracy is important for a free press but, by itself, doesn't make for a quality press. It is only one of the conditions needed to support an independent, quality press.

In truth, democracy, Philippine style, has a lot of warts. The state is weak, institutions are fragile, and inequity is a pressing problem.

Media organizations operate within this context. Corruption, including violations of our code of ethics, is one of our problems and media, as an institution, is not spared from vested interests.

Consider these conditions:

- The wealth in the Philippines is controlled by a few thus the dominance of vested interests. The gap between the rich and the poor is vast. There is a very thin middle class.
- The concept of independent media is not deeply rooted.
- We have a personalistic and quite feudal society: Advertisers are wary of supporting publications or news organizations that do investigative reporting and are seen to be critical of the administration for fear of being identified with them. For companies, this may mean difficulty in doing business with government, tighter regulation.

The best way forward is to deepen our democracy and keep it healthy. Part of this is for the civic marketplace to encourage relentless, risk-taking good reporting and support deep and independent reporting in this digital age.

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I will end with a note of hope. Like many others, I am hopeful but also pragmatic.

On June 30, three weeks from today, we will have a new president, Benigno Aquino III or "Noynoy." He will be taking over at a time when the culture of impunity has become so prevalent, at a time of a crisis in our ethics, having experienced nine long years under a president who diminished our values.

He won by an overwhelming mandate; his votes are the highest any president got since 1987.

Hopefully, Mr. Aquino will bring back trust in government. And we can all start from this new place.