

# Press Freedom in the Time of COVID-19: The Philippine Experience Under the Duterte Administration

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Received: 15 July 2023 / Accepted: 7 April 2024 / Published: 29 April 2024

► Bagalawis, C. N., Villanueva, R. M., & Katigbak, J. J. (2024). Press freedom in the time of COVID-19: The Philippine experience under the Duterte administration. *Advances in Southeast Asian Studies*, 17(1), 63-84.

The media plays an important role in disseminating vital information and being ‘watchdogs’ of government misconduct. Press freedom is constitutionally guaranteed in the Philippines, but the space for journalists and media companies continues to shrink. This is because constant attempts have been made to suppress and silence them through the government’s targeted attacks, which can be characterized into three categories: classifying media as allies and enemies, the weaponization of laws, and personal and institutional attacks. The emergence of COVID-19 made press freedom even more challenging due to the threat of infection and government-imposed restrictions and measures. This research deployed interviews with multiple journalists and a review of secondary data. The study shows that state interference, challenges in fulfilling journalistic roles, and the obstruction of the free flow of information during the pandemic resulted in three levels of fear among journalists: fear of losing one’s network, fear of losing credibility, and fear of personal safety.

**Keywords:** Autocratization; COVID-19 Pandemic; Media Studies; Philippine Democracy; Press Freedom



## INTRODUCTION

Press freedom is frequently associated with media’s independence in disseminating various views and information. Moreover, press freedom provides opportunities for individuals to exchange ideas and information (Tran et al., 2011). This characterization aligns with the right to freedom of opinion and expression as detailed in Article 19 of the Universal Declaration of Human Rights (United Nations, 1948). Nonetheless, there is no universally acknowledged definition of press freedom. The literature also lacks consensus on the parameters of press freedom and people’s right to privacy and security (Tambini, 2021). For Betz (2017), the media space has the capability to strengthen governance, make public institutions more open and responsible, and empower individuals to exercise their other human rights. Thus, a free space enables the media to fulfill its role in a democratic society freely.

In Southeast Asia, research shows a decline in press freedom and a rise in authoritarianism (Einzenberger & Schaffar, 2018), which has been further triggered by the COVID-19 restrictions (Rüland, 2021). The deterioration of press freedom amid the pandemic presents a multifaceted problem for journalists, impacting their professional roles and the broader journalistic community. Professionally, these constraints on press freedom hinder journalists' capacity to effectively fulfill their responsibilities as conduits of information. This limitation compromises their ability to disseminate diverse perspectives, hold authorities accountable, and contribute to an informed public discourse – a cornerstone of democratic societies (Coronel, 2010; Lievrouw, 2009; Norris, 2006). On a communal level, the decline of press freedom challenges the cohesiveness and shared ideals within the journalistic community. The fear and insecurity stemming from these restrictions foster an environment conducive to self-censorship and a decline in professionalism. Consequently, journalism becomes superficial, news articles become more passive and milder, and there is a weakening of the media's watchdog role (White, 2007). The restrictions, thus, impede collaborative efforts necessary to safeguard journalistic integrity and preserve the vital role of the media in a democratic society.

According to the 2020 World Press Freedom Index (WPFI), all Southeast Asian countries, except Timor-Leste and Malaysia, belong to the bottom half of the 180 nations surveyed (Reporters Without Borders, 2020). While many nations in the region improved modestly, like Thailand and Indonesia, other Southeast Asian countries, such as the Philippines and Malaysia, slipped further in the rankings. Rüland (2021) contends that COVID-19-related restrictions mainly caused the decline in media freedom. He emphasized that several administrations have exploited the health crisis to justify attacking and persecuting critical voices, such as journalists and media organizations by weaponizing laws on fake news, misinformation, cybercrime, criminal defamation, and hate speech (Human Rights Watch, 2021; Rüland, 2021).

While the Philippines is regarded as possessing the freest press in Asia, it is no exception regarding declining press freedom (Arao, 2021). The country is considered one of the most dangerous countries for journalists, especially during the term of President Rodrigo Duterte (2016-2022) (Popioco, 2021). The Philippines continually dropped in the WPFI ranking from 127th in 2017 to 147th in 2022. It was rated as 'mostly free' in 2017 due to limited censorship. Still, scores fell eventually because of the emergence of "opinion shapers" that promote pro-government propaganda, as well as targeted attacks on journalists and activists (Freedom House, 2017). Although labeled a democratic state, the Duterte administration created a hostile environment for reporters and journalists alike.

Upon Duterte's assumption to duty in 2016, over 100 attacks and threats were made against journalists and media according to Freedom for Media, Freedom for All Network (Talabong, 2019). In addition, a report by Reporters Without Borders (2021) states that President Duterte's favorite targets are sources of government resistance from media outlets. He particularly targets media and journalists who have critically written and reported on his administration's drug war (Carnerero, 2019). This targeted approach has manifested in various ways, which indicates a clear effort to suppress dissenting voices and limit the scrutiny placed on the government's activities. For instance, ABS-CBN, the Philippines' biggest media and news network, is

noted for critically reporting contentious issues linked to the Duterte administration such as the drug war, corruption, and the country's pivot to China (Hecita, 2020). Consequently, President Duterte, on multiple occasions, publicly threatened the network regarding its potential closure and seizure of assets.

It is important to note that there was already a decline in press freedom and democracy in the Philippines before the COVID-19 pandemic. According to Bethke and Wolff (2020), various countries were already moving to a "closing" or "shrinking civic space" (p. 365) when the COVID-19 pandemic struck. Similarly, Bernadas and Ilagan (2020) used the term "shrinking space" to refer to the declining press freedom in the country. This pre-existing decline in press freedom and democracy was only exacerbated when the COVID-19 pandemic engrossed the country since March of 2020. The pandemic aggravated existing issues, with the administration utilizing the crisis to further tighten control over information and limit dissenting voices.

As the country suffered from the pandemic's blow, more restrictive measures were implemented, including laws that may be used against journalists in the future. In an interview, Maria Ressa calls this the weaponization and manipulation of laws (Santos, 2019). Ressa, the CEO of Rappler, a top local online media organization, was also a notable target. Accordingly, she was convicted in June 2020 of cyber-libel and has been in and out of prison (Herr, 2020). Furthermore, President Duterte's threats against the ABS-CBN proved true when Congress refused to renew the network's franchise at the height of the pandemic. He reiterated that the non-renewal of the franchise was part of his denunciation of 'powerful private corporations' and 'oligarchs' (Hecita, 2020). This development comes after President Duterte expressed his resentment toward ABS-CBN for intentionally not airing his political ads during the campaign period preceding the 2016 national elections (Hecita, 2020). Reporters Without Borders (2021) named President Duterte as one of the 37 global leaders who are predators of press freedom. The Palace simply responded that this was not based on facts and was "absolutely bereft of merit" (Elemia, 2021).

Indeed, it is evident that Philippine journalists worked in a hostile environment that extremely complicated the requirements of their occupation. With COVID-19 restrictions and new laws that may be used to suppress and silence them, there is a need to examine how such factors contributed to the 'shrinking space' of media in the country under the Duterte administration, and how it impacted journalists and media from their own viewpoints.

### **MEDIA, JOURNALISM, AND DEMOCRACY**

Media is a means to communicate news and information to the public. It, therefore, ensures government transparency by delivering information to its citizens. McNair et al. (2017) claim that media platforms serve as a medium of expression to exercise political opinions and criticize the abuse of power by public officials and elites. Hence, the media and its ability to bridge the government with the public is an important aspect of the survival of a democratic society (Oztuc & Pierre, 2021).

Democracy is not a monolithic concept because it encompasses several models. What constitutes a well-functioning media within one model of democracy may not align with the criteria of another (Stromback, 2005). There are four models of

democracy that are often discussed in contemporary literature: procedural democracy, competitive democracy, deliberative democracy, and participatory democracy. Normative expectations vary across different models of democracy, influencing the roles and responsibilities assigned to media.

According to Stromback's (2005) analysis of these four models of democracy, procedural democracy expects the media to provide accurate and unbiased information, serve as a watchdog on government actions, and facilitate informed public debate. Competitive democracy then mandates the media to cover political campaigns objectively, hold political leaders accountable, and provide platforms for diverse political viewpoints. Deliberative democracy, meanwhile, requires the media to facilitate informed public deliberation, present diverse viewpoints, and promote civil discourse on important societal issues. Participatory democracy tasks the media with amplifying voices from diverse communities, covering grassroots movements, and highlighting citizen-led initiatives for social change. In each model, the media play similar roles with subtle differences in promoting democratic values, fostering civic engagement, and ensuring accountability and transparency in governance. These normative expectations shape the functioning of democracy and guide the behavior of its key actors within each model.

The Philippines has been classified as a procedural democracy (Oktaviani et al., 2018; Resos & Albela, 2023). While there are regular elections and formal democratic institutions in place, issues related to corruption, political dynasties, and limited citizen participation in governance have been observed (Oktaviani et al., 2018). Nonetheless, it is crucial to note that categorizing countries into specific democratic models can vary based on different perspectives and criteria and that democracy is a complex concept (Bühlmann et al., 2012). All these models demand that media and journalism provide the public with factual information and news (Stromback, 2005). Furthermore, these models, except for participatory democracy, demand that the media act as a check on people in positions of authority to prevent abuse of power (Coronel, 2010). The media thus serves as watchdogs of the government and public officials, highlighting policy lapses, negligence, corruption, and corporate scandals (Norris, 2006).

For their part, journalists navigate their responsibilities within democratic frameworks guided by various role orientations. The four main journalistic role orientations are monitorial, collaborative, interventionist, and accommodative (Zamith, 2022). The first role portrays journalists as watchdogs through monitoring government actions and societal trends to inform the public. The second role focuses on the journalists' engagement with various stakeholders and sources to provide comprehensive coverage and foster dialogue. The penultimate role delves into the journalists' active intervention in issues by advocating for change and addressing societal injustices. The last role requires journalists to adapt to societal norms and interests, balancing serving the public interest and meeting audience demands (Zamith, 2022). Their professional ethos demands accuracy, objectivity, fairness, and accountability to the public.

In contexts where press freedom is challenged, journalists often assume the role of watchdogs, challenging authority and exposing wrongdoing (Galtung & Ruge, 1965). It is important to note that journalists cannot be neutral observers (McCarthy & Dolfsma, 2014). Instead, they should fulfill a significant role in promoting and

preserving human rights and freedom to achieve democratic governance that facilitates press freedom and a media environment free from the threat of impunity (Arao, 2016). This makes journalists reliable sources of information, portraying them as ethically devoted to relevant truth-telling in the public interest and for the public's benefit.

Ngoa (2011) describes a functional democracy as one that meets three basic requirements: an awareness of the public, freedom of involvement in the process of making decisions, and government accountability. He asserts that the media has played a pivotal role in a functioning democracy by exercising freedom of expression, association, and mobility, and managing the 'space' between the state and its citizens. Media must, therefore, be free and independent (Habermas, 2006; Norris, 2006; Solis, 2018). Moreover, institutional arrangements of functional democracy create an environment that supports journalists in fulfilling their duties. This includes enjoying constitutional and legal safeguards, access to state-held information, and mechanisms for scrutinizing the government (Coronel, 2010).

Media, journalism, and democracy share a relationship akin to a social contract (Locke, 1988; Stromback, 2005). Media and journalism rely on democracy to preserve the freedom of speech, information, and the independence of media from the state. In the same manner, democracy requires a system for the flow of information and a watchdog that is independent of the state (Stromback, 2005). Thus, when a media cannot freely obtain and disseminate information or fulfill its watchdog function, a state fails to foster democracy in the broadest sense. Nevertheless, the co-dependent relationship between media and democracy can only be achieved if media actors are rational, logical, not controlled by political party ideas, and treat information sources impartially en route to disseminating relevant information (Ismaeli, 2015).

As independent and free media ensures the progress of democracy and effective governance, Coronel (2010) finds that it can indirectly contribute to human development through poverty alleviation. Moreover, studies found a link between press freedom and corruption (Flavin & Montgomery, 2020; Norris & Odugbemi, 2010). They indicate that countries with above-average press freedom are more likely to have lower corruption indicators. For Norris and Odugbemi (2010), nations with strong rankings have a diverse media landscape and a thriving media industry that fosters transparency and promotes good governance. Conversely, countries with lower index scores in press freedom show lower controls on corruption. A free press is, therefore, instrumental in maintaining good governance, reducing corruption, alleviating poverty, and potentially empowering citizens to demand more accountability from their government officials.

### **SHRINKING SPACE OF PRESS FREEDOM AMID THE COVID-19 PANDEMIC**

The COVID-19 pandemic has presented significant challenges to press freedom around the world. As governments grapple with managing public health crises and addressing societal concerns, there has been a notable trend of shrinking space for press freedom. According to Bernadas and Ilagan (2020), an indication of the "shrinking space for media freedom" (p. 132) is seen through laws passed during the pandemic to restrict freedom of speech under the guise of combating misinformation

or maintaining public order. For instance, the *Bayanihan to Heal as One Act* (Republic Act (RA) No. 11469) granted President Rodrigo Duterte the emergency authority to quickly respond to COVID-19 within three months by reallocating the national budget and by enabling the President to temporarily direct the operations of public utilities and other necessary facilities as required by public interest (Official Gazette of the Philippine Government, 2020). However, this law was criticized by the media and human rights groups because of its clause that penalizes false or fake news that may be readily used and utilized by people in power against individuals, including journalists (Joaquin & Biana, 2020). Similarly, the Anti-Terrorism Act of 2020 (RA No. 11479) deems critical reporting or anything against the government as an act of terrorism, making it dangerous for journalists to do their jobs (Puente, 2020). Correspondingly, the Cybercrime Prevention Act (RA No. 10175) was received with strong criticism due to its risk to press freedom, online expression, and online privacy (Robie & Abcede, 2015).

Moreover, the weaponization of laws predominantly targeted journalists. For instance, Maria Ressa, Rappler's CEO, has been hounded by many libel cases and sued multiple times using existing laws (Carnerero, 2019). Journalists were faced with another indication of the "shrinking space for media freedom" through the government's decision to shut down ABS-CBN, the biggest media network (Bernadas & Ilagan, 2020, p. 132). The shutdown is detrimental to the press as the network reached far-flung provinces in the country. The government's actions towards media and journalists are an indication of the continuous threats of the administration to silence critics and an indication of the media environment in the Philippines. Hence, it became difficult for journalists to fulfill their roles. Solis (2018) sees the inability of media to freely propagate information as a threat to democracy. On the other hand, the government denies that the attacks on ABS-CBN and Rappler will severely affect press freedom and media by asserting that these are isolated cases (Arao, 2021).

Stanig (2015) posits that these attacks on the press serve two purposes: to silence critical journalists directly and to induce self-censorship of other journalists who plan on becoming critical of the government. Censorship is considered one of the most direct constraints to press freedom (Papadopoulou & Maniou, 2021). As Graber (2015) explains, self-censorship hinders journalism as journalists would choose to remain silent due to fear of severe punishment for publishing critical and sensitive stories. Thus, the administration's numerous misdoings may remain unknown to the public. In addition, Graber (2015) points out that there is increased risk and danger for media outlets and journalists who choose to publish articles on corruption, drug wars, and crimes.

Moreover, President Rodrigo Duterte had placed the Philippines' weak democratic institutions in peril as the democratically elected leader 'bloodied' democracy during his seat in power (Thompson, 2016). These are manifested in the numerous human rights violations done during his administration, such as the crackdown on drugs and the targeting of media to silence them through intimidation, harassment, red-tagging, and legal persecution (Puente, 2020). Additionally, Tapsell (2021) reiterated that President Rodrigo Duterte had created a strategic relationship with the media – utilizing his 'divide and rule' strategy over the Philippine media. More specifically, President Duterte would separate them into two categories: first, placing media



outlets with a good relationship with him and those who self-censor as ‘friends’; and second, positioning oppositional and critical media and journalists as ‘enemies’. This strategy of dividing and ruling the press has eroded the media landscape in the Philippines. Reporting critically on the government is seen as choosing to become ‘rivals’ and targets of the administration (Tapsell, 2021). This places journalists and media on a fork road, deciding whether they want to appease the government and be allies or dare to be critical and become rivals.

Evidently, journalists’ struggles as watchdogs and preserving press freedom are not new occurrences. Instead, COVID-19 exacerbated the already shrinking space of media in the Philippines. The administration used its emergency powers to control the narrative surrounding the pandemic, often at the expense of independent journalism and transparency. Bethke and Wolff (2020) argue that the political and militarized response to the COVID-19 pandemic will not necessarily result in an immediate and long-term constraint of civic space but will worsen existing conflicts and controversies.

### THE RISE OF DISINFORMATION IN THE PHILIPPINES

Disinformation and misinformation are often interchanged as they pose similar meanings. However, their difference lies in intent. Ireton and Posetti (2018) define disinformation as inaccurate information designed to attack a specific person or entity, whereas misinformation is false information not intended to harm anyone. Rubin (2019) identifies three interconnected causal elements for the development of disinformation in digital news: first, fake news; second, a lack of media literacy skills that makes readers vulnerable to being mis-/disinformed; and third, a lack of regulation in social media networks that amplify and facilitate the spread of various disinformation. These three and their interactions are essential drivers of disinformation/misinformation, particularly in the digital world.

Notably, the spread of disinformation proliferated during the COVID-19 pandemic. Jamil and Appiah-Adjei (2020) argue that the pandemic amplified a ‘disinfodemic’ characterized by widespread misguided information. They suggest that it is driven by government agencies pressuring journalists to cover the COVID-19 pandemic in certain ways. In addition journalists struggle to address the infodemic and disinfodemic amidst job insecurity. The mis/disinfodemic thus added to journalists’ fear of health risks, economic struggle, and logistical concerns brought by the lockdown measures. As COVID-19 cases surged and various pandemic-related issues emerged, the volume of information share expanded dramatically as all social media platforms sought efficiency, coverage, and depth (Zhao, 2020). While mainstream media outlets generally strive to provide accurate information, social media platforms have enabled the proliferation of unverified content and sensationalized narratives. Social media significantly influences the “genres, speed, curation, and dissemination patterns of communication in new and often problematic ways” (McKay & Tenove, 2021, p. 3). Exploiting the vulnerabilities inherent in online platforms, disinformation peddlers take advantage of algorithmic curation, echo chambers, and political bots.

Studies have shown that during an emergency, individuals tend to rely on established news outlets for their information rather than newer, less conventional sources.

This is attributed to the high level of trust and credibility associated with traditional media (Hornmoen & Backholm, 2018). However, it must be noted that different social contexts also influence an individual's media consumption. For example, Filipinos have exhibited a declining interest and trust in established news outlets over the years due to widespread criticism of the news media from various sources, specifically politicians and activists. Furthermore, unlike the global trend, where many respondents prefer to read the news (57%) than watch it (30%), Filipinos deviated from this pattern: 52% of Filipinos prefer watching the news over reading it (36%) (Newman et al., 2023). This would imply that Filipinos utilize television as their main source of information. However, data show that the percentage of Filipinos using television as their primary news source has declined from 66% in 2020 to 52% in 2023 (Newman et al., 2023). Interestingly, 72% of Filipinos view Facebook as their leading news source, with TikTok steadily gaining a higher share of news-related videos (Newman et al., 2023).

This suggests a unique media consumption behavior among Filipinos as they prioritize news-related videos on social media platforms as their primary source of information. With the onset of the COVID-19 pandemic and the heightened need for information dissemination, this period became fertile ground for the emergence of disinfodemics as it provided an unparalleled environment for the propagation of internet misinformation, disinformation, and abuse (Ferrara et al., 2020).

While both misinformation and disinformation are harmful to society, disinformation poses a greater challenge to media as it is created to deceive and distort the truth. In the Philippines, Ong and Cabañes (2018) discovered that a client-like relationship between political elites and fake social media account operations fuels the prevalence of disinformation and troll armies. This networked disinformation can be described as an "organized production of political deception that distributes responsibilities to diverse and loosely interconnected groups of hierarchized digital workers" (Ong & Cabañes, 2018, p. 15), who are tasked to generate "illusions of engagement" (p. 37) by spreading script-based fake news. Disinformation becomes more of an individual effort but is now being powered by machinery to destroy the opposition or enemy. Sombatpoonsiri (2018) argues that cyberbullying, exhibited through disinformation campaigns, is used by both the state and regime allies to crush criticism and resistance. In Russia, state-sponsored accounts spread disinformation through direct attacks against individuals and communities on divisive topics to manipulate online conversations (Zannettou et al., 2020).

In a democratic country like the Philippines, dealing with disinformation is a two-edged sword. On one hand, the fight against disinformation threatens democratic ideals such as the right to freedom of expression (Figueira & Oliveira, 2017). On the other, disinformation undermines broader factors of the quality of democracy by eroding public trust in democratic institutions, hindering people's right to access and share information, meddling with elections, and fueling digital conflict and persecution (Colomina et al., 2021; Gianan, 2020; Nuñez, 2020). Information manipulation undermines the efficiency of elections and restricts citizens' ability to exercise their fundamental rights (Colomina et al., 2021). In addition, disinformation tactics can successfully target media credibility to substitute it with government agenda (Christensen & Holthaus, 2021). The manipulation of information creates a vicious cycle in which the government promotes its political agenda, shutting down



the participation of independent groups and ordinary citizens. Christensen and Holthaus (2021) argue that the danger of disinformation to democracy lies more in restricting access to various types of information, which may counterintuitively restrict the flow of free data. Consequently, this may perpetuate information asymmetry and power imbalance, thus further challenging democracies.

Interestingly, Bradshaw and Howard (2018) found that democracies have the greatest capacity for disinformation campaigns through political bots, while authoritarian regimes have a marginally lower capacity for disinformation campaigns since they mostly rely on blunt techniques such as the use of trolls, harassment, and attacks on journalists. The study of Al-Rawi (2021) in Saudi Arabia reveals that trolls use disinformation campaigns to undermine journalists' legitimacy and their role in defending freedom of expression and human rights in the Arab world. Conversely, Glasius and Michaelsen (2018) contend that disinformation campaigns are more pervasive and maintained in authoritarian states than in democracies. In both cases, deceiving the public and utilizing power seem to be the main objectives of promoting propaganda effectively.

Although both pose serious dangers, disinformation becomes more difficult to combat as it may be powered by machineries and used to destroy critics. Widespread disinformation makes it difficult for journalists and media networks to establish their legitimacy amongst the public. Furthermore, the spread of disinformation resulted in actions that undermined press freedom as it affected journalists' rights to freedom of speech and expression. Hence, it is evident that these pose additional challenges for journalists to fulfill their roles in disseminating accurate information in a democratic setting.

## METHODOLOGY

The authors deployed purposive sampling to interview eight participants who fit the following criteria: (i) journalists from various media networks; (ii) journalists who have worked for at least two years or have worked during and prior to the COVID-19 pandemic; and (iii) journalists who have done fieldwork during the pandemic. The semi-structured interviews were conducted via Zoom from November 2021 to January 2022 due to the COVID-19 mobility restrictions. Aliases are used to protect the identity of research participants. The list below contains background information on all respondents:

1. George - has been a journalist since 2017. He previously worked in a radio station and works in the Digital News Department of a big news and entertainment network. He focuses on politics, foreign affairs, and stories related to the pandemic.
2. Pamela - has been a journalist/reporter since 2012. She also worked in a regional news network. Her reports focused on Southeast Asian financial issues covering mostly asset management and business. During the Duterte presidency, she reported for a local news network covering human rights, corruption, and the COVID-19 pandemic.

3. James – has been a journalist/reporter since 2019 for a large media network. He started as a social media producer and was later transferred to the writing department where he focuses on writing about the COVID-19 Pandemic, environment journalism, and general news.
4. Ronald – has been a journalist/reporter since 2017. He has worked for two local newspapers. Currently, he is writing for a different newspaper and focuses on Southern Manila, local government units of Muntinlupa, Pasay, Paranaque, and Las Pinas, Bureau of Corrections, Department of Tourism, Metro Manila Development Authority, Armed Forces of the Philippines, and Philippine Institute of Volcanology and Seismology.
5. Joshua – has been a journalist/reporter since 2008. He is currently the News Section Head of a local newspaper. Since 2013, he has been a news editor further covering the Senate, the southern Philippines peace process, indigenous peoples' issues, and development-induced displacement. Currently, he holds a high position in the National Union of Journalists of the Philippines.
6. Mary – has been a journalist/reporter since 2017. She is currently working for a local newspaper where she has been covering the Drug War, Sandigan Bayan Ombudsman, health, education, transportation and mobilities, and special reports on social justice issues.
7. Marjorie – has been working as a journalist since 2013. She previously worked in a non-profit online news organization where she became a political reporter for one year and then five years as a business reporter. She moved to an international news network in the Philippines and is now working as a news correspondent.
8. Alicia – has been a journalist since 2019. She currently works for a large news and entertainment network covering lifestyle, sports, and general news.

The recorded interviews were transcribed and systematically analyzed to identify recurring themes and patterns concerning the experiences of journalists during the COVID-19 pandemic. Through an iterative process of data coding and categorization, key themes were then developed and refined, and organized into a coherent narrative, as elaborated in the succeeding sections.

#### **STATE INTERFERENCE IN PHILIPPINE MEDIA**

The traditional notion holds that state intervention in the media is detrimental. Siebert (1963) argues that the press is an instrument to pursue an effective check and balance of the government and that the media would be unable to do its job properly if there was government intervention. Similarly, in both Arao's (2016) and Carnerero's (2019) studies, the media has an essential role in preserving democracy. While the pandemic has shown that certain forms of state intervention in the media

may be necessary to uphold regulatory standards, promote public broadcasting, and ensure public safety, it is still vital to simultaneously safeguard press freedom and democratic principles (Glunt & Kogan, 2019; Hornmoen, & Backholm, 2018). Striking a balance between government oversight and journalistic autonomy is crucial to maintaining a vibrant and pluralistic media landscape that serves the interests of society. Nevertheless, results from these interviews reveal government attempts to control the media through its targeted attacks during the COVID-19 pandemic. We classified these targeted attacks on the media into three categories: classifying media as allies and enemies, the government's weaponization of laws, and personal and institutional attacks.

### **Classifying Media as Allies and Enemies**

The classification of media as allies and enemies, according to Tapsell (2021), is Duterte's strategy to destroy the country's media environment. Establishing this binary categorization of media can have profound implications for freedom of expression, the press, and the public's right to access information. In democratic societies, a free and independent media serves as a critical check on government power by holding officials accountable, exposing wrongdoing, and informing citizens about matters of public interest (Siebert, 1963). Conversely, the principles of democracy are undermined when governments seek to control or manipulate the media by categorizing outlets based on their perceived loyalty or opposition.

In our interview, Joshua describes the "government media ally" as "media that carries the government narrative". Moving away from this notion will automatically categorize one as under the influence of "propagandists (and) rebels". Interviewee Pamela also mentions the same issue referring to a "partnership" She stated, that "the partnership [with the government] isn't always equal because, well, they expect us to report favorably". James also mentions in his interview that being too critical in stories and the way they write allows them to be labeled as "enemies".

Amid the COVID-19 pandemic, the dynamics between the government and the media in the Philippines have become increasingly contentious. The government abused power and justified its attacks on the media by concealing them as pandemic responses. For instance, George shares that journalists from their media network were stopped at the checkpoint and were asked, "Are you an enemy?". This scrutiny and intimidation prove that imposed COVID-19 restrictions or the government's response to the pandemic is being used as an excuse to restrict the media and justify their actions in attempting to silence them. This pattern of targeting journalists under the guise of pandemic response reflects a broader strategy characterized by what Tapsell (2021) describes as divide and rule, which categorizes the media as either allies or enemies. By creating a binary categorization, the Duterte administration gains a tool to justify its crackdown on critical voices within the media sphere.

All the respondents highlight the problematic situation of press freedom during COVID-19, seeing that it worsened Philippine press freedom. James describes the status of press freedom as currently "dark". Similarly, Marjorie states that press freedom in the country is "under constant growing threat" with the pandemic being used as a tool for suppression. James and Alicia further strengthened this sentiment by

highlighting the closure of the most extensive news network, ABS-CBN, as the most significant attack against press freedom in the Philippines during COVID-19.

Although the government classifies the media as either allies or enemies, journalists seem to have a different perspective on their “partnership” with the government and the media. Pamela states that media classification as allies and enemies “is more on how the government sees (the) media, versus how the media sees the government”. James clarifies that journalists should neither be allies nor enemies of the state, but rather, people who fulfill their role to inform and connect the public and the government.

### **Weaponization of Laws Against Press Freedom**

Another theme that journalists highlight is the government's weaponization of laws against press freedom. There are several ways in which laws are weaponized against the press. One is by introducing or enforcing restrictive legislation to curb independent journalism. Governments may enact vague or overly broad laws that criminalize dissent and suppress critical reporting under the pretext of combating misinformation. Such laws may include provisions that criminalize the dissemination of ‘false’ information related to the pandemic, restrict access to official data and information, or impose harsh penalties on journalists and media outlets for reporting on government failures or shortcomings in handling the crisis.

The weaponization of law against press freedom also encompasses the malicious interpretation of existing laws that threaten journalists and media networks. It is worth mentioning that tax evasion charges are also used to intimidate media networks. Mary points this out, as she explains why she considers attacks on press freedom to be “state-sponsored”. In addition, George and Joshua also mention the cyber libel law as a weapon against journalists. Joshua shares that his colleagues were also charged with libel cases. According to Morgenbesser (2020) and Curato and Fossati (2020), the weaponization of laws is an authoritarian practice used by contemporary authoritarians. Similarly, Varol (2015, p. 1673) labels the use of laws to clamp down on critics, even in democratic countries as “stealth authoritarianism”.

Both the Bayanihan to Heal as One Act (RA No. 11469) and the Anti-Terrorism Act of 2020 (RA No. 11479) were implemented during the pandemic, highlighting Duterte's weaponization of laws towards press freedom (Puente, 2020). However, the interviews indicate that the respondents did not directly experience its effects. It is important to recognize that the immediate impacts of the Anti-Terrorism Act might not be fully apparent to many journalists at present given that the law is still relatively new and in its initial phases of implementation. However, journalists fear that the said law has the potential to be used against them and their sources, and as a threat to press freedom. In Joshua's words, the Anti-Terrorism Act is “something to be worried about and it is something that we think would be used against, not only on journalist(s), but freedom of expression in general so it's something we need to watch”.

In comparison, Ethiopia's anti-terror law passed in 2009, was like that of the Philippines: It indicted actions that could directly or indirectly encourage terrorist motifs. It also gave police enforcement the authority and right to arrest suspected individuals without an existing warrant for up to 48 hours. Since 2010, this law has

resulted in 60 journalists leaving the country, with at least another 19 languishing in prison (Human Rights Watch, 2015). If left unchecked, the Anti-terrorism Act could potentially be wielded as a tool to target critical journalists in the Philippines, echoing similar concerns seen in Ethiopia. As Puente (2020) puts it, the Anti-Terrorism Act (RA No. 11479) sees critical reporting against the government as an act of terrorism, making this law a threat to the safety of journalists.

### **Personal and Institutional Attacks**

Personal and institutional attacks on the media can take various forms. At the personal level, journalists and media professionals may face direct threats to their safety, well-being, and professional reputation. At the institutional level, attacks on the media involve the use of state resources, regulatory mechanisms, and legal frameworks to suppress independent journalism. Marjorie highlights that: “This time around, the threat is personal and more institutional.” This has been so common, especially during the pandemic, that Marjorie refers to this as a “trend”.

It is also worth noting how she highlights that being a journalist was not controversial from 2013-2015. Her experience demonstrates how the Duterte administration contributed to the shrinking space of media and how it is much felt on an institutional and personal level for journalists.

The interviews also reveal that these attacks manifest as trolls and cyberattacks, where red-tagging, identifying media as biased, associating with a political party and spreading misinformation and disinformation to target journalists and their media networks are evident. Cabañes and Cornelio (2017) describe two types of trolls: (1) paid professional trolls that hide behind fake social media accounts, and (2) individuals who propagate the orchestrated messages laid out by the professional trolls. They call both part of the ‘troll army’ that initiates and spreads “deception, provocation, and futile conversations” (Cabañes & Cornelio, 2017, p. 3). Phillips (2015) underscored that internet trolls are molded through their constant interactions with like-minded parties on both online and offline platforms. In addition, several studies have investigated the attempts by Duterte and his followers to pressure critical journalists. These include the administration’s strategic application of disinformation campaigns (Ong & Tapsell, 2020), online harassment against women journalists (Tandoc et al., 2023), and tapping of media influencers and personalities such as Mocha Uson and R. J. Nieto, the individual behind the pro-Duterte blog *Thinking Pinoy*, to attack and discredit journalists (Posetti et al., 2021; Robles, 2019;). As noted by Escartin (2015), trolls were directed to “post online comments or content that tend to be disruptive, aggressive or inflammatory, in order to provoke a reaction from an audience” (p. 169).

In a similar way, Mary and Marjorie see the emergence of fake news or disinformation machinery as personal and institutional attacks. This is because they silence dissenting voices and propagate views that might lead to widespread confusion and distrust among the press media. George states: “We started getting these cyberattacks on our website and also our personal emails.” The prevalence of these online threats during the pandemic can be explained by the inevitable rise of social media due to social distancing norms and statewide lockdowns during COVID-19 (Khanday et al., 2021). Joshua notes that government officials attack the press in their

speeches and statements. He highlights that the continued attacks on journalists and major media companies such as the Philippine Daily Inquirer, ABS-CBN, and Rappler illustrate the current situation of press freedom in the country. This also has significant effects on the public's perception of the media. The correlation between low levels of trust in news and media criticism is evident, with some of the highest reported levels of media criticism observed in countries characterized by high levels of distrust (Newman et al., 2023).

## **AN ENVIRONMENT OF FEAR: JOURNALISTS' RESPONSES**

State interference, the difficulty of journalists in fulfilling their roles, and obstruction of the free flow of information during the pandemic resulted in three levels of fear: (1) fear of losing one's network, (2) fear of losing credibility, and (3) fear for safety. Collectively, these factors worsened the shrinking space of media during the pandemic.

### **Fear of Losing One's Network**

Journalists were afraid to write critically against the government after the closure of the biggest network, ABS-CBN. Its shutdown sent waves of fear toward smaller networks creating a chilling effect. It sends a message that if these networks become too critical of the government or if they release articles that scrutinize the administration, then the latter has the power to cease its operations. In Mary's own words: "It's a deliberate attempt to send a chilling effect that anyone or any news outlet that would go against our policy or would go against political stands will suffer the same fate."

This eventually created an atmosphere wherein Philippine journalists were afraid to voice their criticisms against the administration. This chilling effect created a culture of impunity where journalists are afraid to voice out criticisms against the administration because they fear that they might share the same fate experienced by the biggest network. Their fears may also stem from apprehensions about adequately fulfilling their roles and professional duties (Zamith, 2022). With a diminished network, journalists may struggle to gather diverse sources of information and monitor various aspects of society and the government, potentially hindering their ability to fulfill their monitorial role. Additionally, they may be less inclined to challenge official narratives or investigate sensitive topics, falling short in their interventionist role.

Arao (2016) explains that the absence of press freedom creates this so-called culture of impunity. He likewise suggested that this has caused negative effects on journalism since the public is denied access to essential information that could reform public opinion. Some networks, along with their journalists, thus opted to scale down on writing, due to fear of a possible network shutdown. Mary states that they had to shift their editorial plans in a way that would not trigger the government, which became an effective way for the government to stop targeting them. She explains that: "We have to be less aggressive on how we attack the government."

In other studies, scaling down is labeled self-censorship (Graber, 2015; Stanig, 2015;). Balod and Hameleers (2021) reported similar findings as the Filipino journalists they interviewed also described experiencing this chilling effect. These journalists had to soften the tone of their articles, steer away from controversial topics, and/or question



their editorial judgment, resulting in less critical stories. Meanwhile, Mary admits that their network would self-censor due to the decision of editors and media owners. She believes that the stories they put out are still factual, but less critical.

Notably, our findings suggest that journalists adjust their tone and are required to gently 'balance' their coverage to avoid writing too critically about the administration. With self-censorship taking place among journalists, the purpose of the attacks on journalists in accordance with Stanig (2015) has been fulfilled. This proved to be true in Mary's experience: "We just have to be less aggressive, and that worked because the administration left us alone." Pushing back in writing or self-censorship became an effective way for journalists to stop the administration from attacking them and their network. However, Ronald sees that this change of tone loses the quality of "real and hard-hitting journalism". As Arao (2016) points out, journalists cannot be mere observers since they are crucial in promoting and protecting human rights, and that freedom is crucial for a democratic environment. By pushing back, changing tone, and being less critical of the government and its actions, journalists and media fail to fulfill their most important role: being watchdogs.

Notwithstanding the abovementioned examples, some journalists responded differently to the fear of losing one's network. In isolated cases, journalists who lost their network during the pandemic could overcome this fear and write more critically about the government. James evidences this in expressing how their writings became 'stronger' after the closure of their network. He explained that: "We have nothing to lose at this point, right? What else can they close?" George also expressed that although ABS-CBN journalists are still afraid, "you can't really let fear get the best of you". While some journalists overcame this fear and write critically, some regret not being able to do the same. Mary says: "We could have been more courageous in our reporting."

### **Fear of Losing Credibility**

Balod and Hameleers (2021) state that journalists establish credibility by providing accurate and fair information to their audiences. As personal and institutional attacks endanger media credibility through trolls and cyberattacks, journalists and their media organizations face the dangers of disinformation. Marjorie points out that "the misinformation and disinformation has triggered great mistrust towards media in general". As a result, the credibility of journalists is questioned by the public as misinformation and disinformation steer the judgment of the masses. Marjorie adds: "For me, I find it hard to understand why all of a sudden what we write is not credible." This is also in line with the studies of Al-Rawi (2021) and Christensen and Holthaus (2021) that perceive disinformation techniques as a weapon to target journalists' credibility. Accordingly, the effects of personal and institutional attacks on the media are more critical for journalists and independent media alike as these negatively impact the press's credibility to fulfill its duty in a democratic country.

Correspondingly, journalists attempt to dissolve the doubt by countering these false narratives. However, no matter how truthful their writings were, the emergence of these attacks only led to confusion and loss of public trust in the media. Mary explains further:

In the end, you would have to rely on public discernment and what they want to believe. However, this is troubling because what if the audience has cognitive dissonance and would just believe what they want to? So even if you publish numerous truthful reports, they still won't believe in you.

In this vein, there is a deliberate attempt to erode press credibility and promote government propaganda through the weaponization of the internet. Ultimately, these challenges may have adverse consequences on the journalists' obligations and responsibilities and their roles as media practitioners. This is in line with the research conducted by Ireton and Posetti (2018), which found that disinformation resulted in a decline in public trust in news organizations and media. The accusation of spreading disinformation or fake news toward journalists resulted in crackdowns through cyberattacks and trolls directly attacking journalists and their media institutions (Ireton & Posetti, 2018).

Without credibility, journalists' reports may be dismissed or questioned, making it challenging to fulfill their monitorial and interventionist roles. Furthermore, they may become more cautious in their reporting and avoid controversial topics or critical inquiries to dispel further damage to their credibility. The loss of credibility can weaken the journalists' ability to fulfill their roles effectively, eroding trust in their reporting and limiting their impact on public discourse and accountability.

### **Fear for Safety**

Journalists developed a fear for their safety due to health risks and attacks on journalists. They began to fear for their safety as they were hounded with personal threats and attacks by trolls. George shares his experience:

Of course, we started getting these messages from – well, of course, we think they're trolls or supporters of the administration, but we also had this ... we started getting these cyberattacks on our website and personal emails. So, like we really felt that there are targets on our backs.

Moreover, the threat of the virus posed risks for journalists as they were constantly exposed to it amid information-gathering. Marjorie shares: "I fear for my physical safety since of course, I didn't really want to get COVID. No one does." As Bernadas and Ilagan (2020) put it, journalists are not merely reporters or observers of the situation; they are also in danger of becoming infected.

Aside from their fear of becoming infected, they also fear the attacks on journalists. This terrifying and hazardous atmosphere, produced by bullying, online harassment, and online threats, can jeopardize journalists' ability to perform their jobs since these threats obstruct crucial reporting and the watchdog role (Balod & Hameleers, 2021). When journalists feel unsafe, they may hesitate to investigate and report on sensitive or controversial issues, leading to self-censorship.

These three fears stifle the journalists from doing their primary duty. Their fear of network loss, credibility, and safety concerns impacts individual journalists and has far-reaching implications on press freedom. Journalists become more cautious and

risk-averse in their reporting, avoiding controversial topics or critical analysis to mitigate potential threats. This self-policing restricts the free flow of information and stifles public discourse, thus constraining press freedom and democracy. Balod and Hameleers (2021) underscored that the role of journalists as watchdogs is at constant risk because they cannot perform independently from the government and cannot effectively scrutinize the administration's behavior. The cases above illustrate that journalists consciously prioritize their role of informing. However, they are inhibited from performing their watchdog function due to the constant fear of the government and its retributions.

### **AFTER DUTERTE: THE MARCOS JR. ADMINISTRATION**

With the conclusion of Duterte's presidency in June 2022, journalists and media companies received positive news as the 2023 World Press Freedom Index (WPF) reflected the country's improved performance as it ranked 132nd out of 180 countries, which is 15 slots higher than its 2022 position (Cabico, 2023). This ended a five-year slump in terms of ranking. The 2023 WPF also described the Philippine media as "extremely vibrant despite the government's targeted attacks and constant harassment, since 2016, of journalists and media outlets that are too critical". Although there was fear surrounding the ascension to power of President Ferdinand R. Marcos Jr. due to his late father's dictatorial rule, the report observed that there were fewer media attacks and that the current leadership is exercising a "more consensual" policy towards the press (Ombay, 2023).

Notwithstanding this encouraging development, the 2023 State of Press Freedom in the Philippines report still found that media workers, mainly in Metro Manila, were subjected to a total of 75 attacks and threats from 30 June 2022, to 30 April 2023 (De Jesus, 2023). Of the total figure, 40 cases of intimidation focused on red-tagging and surveillance activities. In comparison, ten libel and cyber libel cases involved two arrests and one conviction. Other incidents included harassment, coverage restrictions and censorship, online threats, cyber-attacks, and physical assaults. What is alarming is that 41 cases involved state agents as alleged perpetrators of the attacks, with 23 individuals working for the national government, followed by 12 members of the police force, and six from local governments. The remaining alleged perpetrators are private citizens (ten cases), unidentified sources (eight cases), online trolls (eight cases), pro-government media (five cases), and other parties (three cases) (De Jesus, 2023).

Thus, as noble and vital as it is, upholding press freedom in the country is undoubtedly an arduous task given the state-sponsored targeted attacks, weaponization of laws, and proliferation of disinformation and online trolls. The shutdown of ABS-CBN likewise resulted in a chilling effect that compounded the fear and challenges the already constrained journalists faced. To effectively halt the country's democratic backsliding, the Marcos Jr. administration must prioritize the preservation of press freedom, mitigate attacks and threats against journalists, and ensure that journalists can effectively perform their watchdog role. An otherwise scenario may merit either a 'Duterte extension' label or worse, a Marcos 2.0 suppression.



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### **DISCLOSURE**

The contents of this paper were extracted from the undergraduate thesis of Ms. Bagalawis and Ms. Villanueva that was submitted to the Department of International Studies of De La Salle University – Manila. Mr. Katigbak served as the thesis adviser of both authors.