

Constitutional Democracy, Press Freedom, and Human Security: Examining Violence Against Journalists in the Philippines

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Abstract: Government failure in handling the protection of journalists and media teams from armed conflict to individual attacks still often occurs in Southeast Asia, especially the Philippines. Such violence raises significant concerns regarding the protection of fundamental rights and press freedom. However, the applicable lead framework depends on the context of the violence. In situations of armed conflict, journalists may receive protection under international humanitarian law, while killings and attacks occurring outside armed conflict are primarily addressed through international human rights law and domestic criminal law. However, journalist massacre activities still often operate to silence information regarding issues of political crimes, corruption and coups which should still be published to the global community. Using qualitative methods, this research focuses on the human security that is threatened by journalists and the media in conflict with constitutional democracy which is connected to the cultural foundations that support the violent acts that occur. Consequently, this research explains the relevance of human security integrated with the constitutional democratic system to explain the fragmentation in the Philippine government system in press freedom and constitutional democracy which is inversely proportional to the massacre of journalists.

Keywords: Journalist; Political crimes; Cultural foundations; Human security; Constitutional Democracy.

INTRODUCTION

International humanitarian law recognizes journalists engaged in dangerous professional missions in areas of armed conflicts as civilians and provides them with protection under applicable international humanitarian law, provided that they do not take direct part in hostilities. Globally this applies to all journalists and news media teams throughout the world who have the right to convey news that occurs locally and internationally. But the Philippines didn't choose that way. In fact, journalistic action is something that is unethical and is still not fully supported by Rodrigo Duterte, president of the Philippines for 2016-2022, and Ferdinand Marcos, who is still serving as president of the Philippines at this time. The facilities and establishment of a local news anchor station still have no supervision in passing news censorship. As a result, several private news broadcasting stations emerged which were forced to close due to uncontrolled news broadcasting. (Owen, 2004; *Philippines* | RSF, 2026)

The prevention carried out by Rodrigo Duterte is based on the level of freedom of the Philippine journalistic press as stated in the First Amendment of the US Constitution, Article III, Section 5 of the 1987 Philippine Constitution states: No law shall be passed abridging the freedom of speech, of expression, or of the press, or the right of the people peacefully to assemble and petition the government for redress of grievances. The Philippines is one of the world's most dangerous countries for journalists, but the government has begun working with its NHRI on a multi-stakeholder mechanism to protect them. Since 1986, 234 journalists and media professionals in the Philippines have been killed, including 19 after President Rodrigo Duterte took charge of the administration in October 2016. According to media and civil society groups, state agencies have allegedly been involved in 114 attacks and threats against journalists and civil society advocates who had first been "red-tagged" by the authorities for their supposed links with armed communist insurgents and/or "terrorism". In July 2018, the Philippine Commission on Human Rights (CHR) adopted a resolution to form a taskforce with a mandate to monitor and investigate media-related extrajudicial killings. This led to more collaboration between the CHR, media and civil society groups. As a result, the Philippine Action Plan on the Safety of Journalists was launched in November 2019, as part of a three-year European Union project that seeks to establish a national multi-stakeholder mechanism for the safety of journalists. (Alampay & Tugade, 2022)

Apart from that, the Philippines has a Shield Law, i.e. Republic Act 53 which talks about protecting journalists from leaking information related to personal matters and freedom in information law originating from state executive institutions through Executive Order 2 (EO2), which is Rodrigo Duterte's main issue for the eradication of illegal journalists.

It should be noted that the Philippine government has made a policy of protection and freedom of information for its people which actually threatens the safety of the lives of journalists who are inadvertently civilians who must be protected, of course this really offends human security to guarantee the safety of these journalists. Even though the implementation of constitutional democracy upholds democratic decisions from the domestic citizens, but we find that government agencies and institutions takes lead of this, it threatens the stability of human security as well as authoritarian actions in news broadcasting that touch on politics, government, state components, policies, as well as victims of massacres carried out by the government to "muffled wild voices" in the world of Philippine journalism.

Researchers initially only focused on the impact of violence against Filipino journalists on local political dynamics, structural corruption and coercive pressure from authoritarian regimes which limited the dissemination of news and information domestically and globally. (Douaisia, 2025; Friedrich, 1966) Just looking at this view has the potential to isolate the perception of the murder of journalists by elements of the Philippine government, which ultimately speculates that human security does not have a significant role in this matter and that constitutional democracy is something that should have authority in the hands of the people which is strictly based on basic law (the constitution). In the end there is a transfer of function that democracy is created only for the government and political components only to cover up mistakes made by their own parties.

In recent years, there have been two defining factors in journalism practices in the Philippines, Rosales (2025) stated that new organizations are very influential and rely on their own journalists as a form of legitimacy to obtain information related to the level of individual professionalism and sources that can be used as news references, mostly raising issues of Philippine government and politics, especially among government elites and civil society. Usually the issue presented is in the form of injustice, or public dissatisfaction with government actions which appear to be improving the welfare of society but are doing the opposite. (Rosales, 2025)

While Rosales (2025) states that the practice of Philippine journalism is very controversial, Khan (2022) argues that in terms of officially written laws, Rodrigo Duterte has encouraged Rodrigo Duterte to limit journalism movements that are not limited by official terms and conditions. So that every television and radio program that contains news is closely guarded so that it does not broadcast domestic news arbitrarily, especially to the global community. Since the news agency was built privately and in the name of journalism as the front guard of information for the Filipino people, some journalist have been killed in circumstances involving alleged links to state actors or political interests. However, allegations of state responsibility should be assessed on the basis of documented investigations and authoritative findings rather than treated as established facts. (Khan, 2022)

Not only that, according to Kreuzer (2025), this factor can also be seen from the behavioral influence of the Filipino community, which is positive or negative in responding to this incident. There is a rebellion against the government's authoritarian regime, as well as abuse of authority arising from the limited freedom of the people who are forced to obey regulations related to the culture and norms of Filipino society, so that many levels of society comply by force and some oppose it because this decision is solely to cover up and gloss over the social problems that occur there. (Kreuzer, 2025)

However, not everyone pays attention to the aspect of human security, where people's sovereignty is silenced by limitations that must rely on basic state law, especially for the Philippines which has quite a lot of restrictions on the world of journalism. However, this is more often seen from the theory of constitutional democracy, which states that state power originates from the sovereignty of the people which is limited by basic (constitutional) law. So that justifies the action of "silencing" journalists by the government regarding freedom of speech, of expression, or of the press.

Overall, the studies that have been reviewed require further research in the direction of human security which is very influential and at odds with the understanding of constitutional democracy itself, and as a whole, to state whether the Philippines continues to maintain the dynamics that occur with the model of constitutional democracy which can be juxtaposed with human security or prefers government

actions that refer more to authoritarianism so that constitutional democracy is more likely to curb the freedom of the people to express their aspirations to the government.

METHODS

This research uses a qualitative approach that refers to descriptive-analytical with the main focus being to understand, interpret and dissect constitutional democracy in the issue of the massacre of journalists in the Philippines which challenges human violence, not just a form of ordinary criminal problem but a social problem that refers to human rights and freedoms as written at the Geneva conference on the rights and protection of journalists and media teams. This research is a critical case study to research more deeply the principles of constitutional democracy when compared to human security for journalists, Filipino society and the global community, where the security and safety of their lives should be guaranteed above the laws and decisions of UN laws.

RESULTS AND DISCUSSION

To explore the level of threat journalists pose to the government, we can look at several incidents involving several parties, including journalists and civilians themselves. The Ampatuan Massacre that killed 34 journalists and civilians started because of election disputes. Where the turmoil of the conflict started with the vote victory that Esmarel Manggudadatu would obtain, making the Ampatuan family intend to kill their rival, so that the problem spread to the eyewitnesses who were also killed and several of Esmarel Manggudadatu's family. The killings were carried out inhumanely so that not all of the victims' bodies were identified. This shows that the Philippines is weak in maintaining human security for civilians, especially journalists and reporters who will report.

After this tragic incident, reporters, journalists and media teams became alert to all activities and events that could lead to inciting conflict with the authorities, so journalistic ethics were created specifically for the Philippines by providing field training in situations of conflict, natural disasters, to political dynamics that raise sensitive issues to be broadcast to the public by packaging them in such a way. However, there are still misunderstandings so that journalists and journalists become targets that are difficult to eradicate because they are protected by UN law regarding the protection of the press. (Ressa, 2022)

Culturally, the characteristic of Filipino society is how to vocally express opinions and argue so that this encourages the press movement to continue to echo the truth of the news, and have the courage to reveal corruption and crime without discrimination. The bad thing is, not all Filipinos like vocal action on a problem. (Evangelista, 2023) However, it is smart enough to cover and legitimize others. Not only that, the Philippines is a developing country compared to Singapore which certainly more handled and convenient from Philippines. From there, the Filipino people founded a journalistic movement which was hoped to bring inspiration to the government elite. In fact, this movement is considered to be an outgrowth of anti-government. (Philippines | RSF, 2026)

According to Ogata-cels, Human Security itself has explained that humans/people have freedom of speech, the protection of life will be guaranteed in such a way. These things are stated in the human security agenda where it is stated that:

1. Protection of freedom and rights from dangerous political issues.
2. The public must be protected from misuse of weapons which could result in many casualties
3. People who are traveling, immigration or just walking around are still given protection because they are still registered as citizens of their own country.
4. Accountability: If the conflict has started to heat up between the parties then steps are taken to rescue injured civilians so that no one is left safe.

Several of the points above really refer to the continued escalation of the relationship between constitutional democracy and human security. This can be seen as how domestic and local communities handle local incidents that lead to instability between levels of society. (Ogata & Cels, 2003)

Handling journalism with constitutional democracy and human security

People sovereignty, which is still protected by constitutional law, has different perceptions when referring to political and government issues in a country. The Philippines has complex political turmoil

and always contains corruption and drug trafficking which often make headlines. Especially regarding the problems of coups, corruption and Philippine government politics which tend not to be open to the public.(Khan, 2022) Therefore, the journalistic movement started to provide transparency regarding problems that the public only heard about briefly. So the political elite really hates the "vulgar" actions of journalists and considers broadcasting news about politics and government to be something that must be limited by constitutional laws.

This stigma was also experienced by many groups of society, until finally there was a rebellion for freedom of speech and action and press activities which directly echoed political issues, making the Philippine government overwhelmed by the amount of evidence that had been distributed, to the point of probing the privacy of the lives of the government's own elite, which caused a lot of controversy. (Perez-Gallardo, 2025; Viryawan et al., 2023) From the government's point of view, press and journalistic activities have no legal limits and should have constitutional legal limits which ultimately influence journalistic methods that are more controlled and effective.(Rosales, 2025) However, due to the many political issues that led to competition for office, finally a secret massacre of journalists and the press was decided which was considered to have exceeded the limits of field research.(International Labour Organization & International Labour Organization. Sectoral Policies Department, 2026; Venzon, 2017)

Journalistic work is a "disaster" for Filipino society, because it has serious consequences and tends to always be in the opposition camp which opposes government policies and programs issued. However, news broadcasting to all levels of society must continue so that circulation problems occur which must be experienced in searching for and filtering news and how to package news broadcasts so that they are well received and do not influence the public to act vocally and openly to show their aspirations.(Arao, 2024; Kreuzer, 2025) This high-risk job does not dampen the vocalism of domestic and foreign journalists to voice their opinions about the Philippines, especially to governments in every regime.

"Restrictive" press and journalistic policies

The continued occurrence of violence against journalists across different administration raises questions about the effectiveness of constitutional and institutional mechanisms in protecting press freedom and civilian security. Rather than indicating that constitutional democracy itself causes violence, these cases may consider a gap between constitutional principles and their implementation in practice. If you look at it, the highest casualty rate was during the Benigno Aquino III regime which was adjacent to the Ampatuan massacre. Despite this, the press continues to investigate government failures by dissecting corruption scandals and continues to broadcast it in the news every day to the Filipino people without doubting what the government will do to forcefully close down news media activities, and make this situation commonplace for Filipino society, especially among journalists and the press. so that society justifies constitutional decisions by force and makes them commonplace.(Ogata & Cels, 2003; Scott et al., 2017)

Table 1. Number of the victims from each regime

	Arroyo (2007-6/2010)	Aquino (7/2010-6/2016)	Duterte(7/2016-6/2022)	Marcos(7/2022-6/2025)
Killed	24	42	35	5
Killed per year	7	7	6	1,7

Looking at the constitutional democratic system, providing freedom in broadcasting news and covering news is something that is often politicized by only a few parties. Journalistic media that emerged from citizen journalism and the private sector always carry out self-censorship even when it concerns news about sensitive government matters and has the potential to be silenced or even murdered in secret. In fact, this makes it clear that journalists and the media are threatened by policies explicitly aimed at silencing and even accompanied by assistance from the army and state apparatus.

Constitutional law should be taken from the aspirations of the community so that they agree together to serve as basic law. And the nature of basic laws does not restrain society and makes political life easier. However, Philippine constitutional law goes the other way, which is more dangerous for journalists and the media, resulting in the safety and welfare of civil society being constrained. Persistent restrictions on press freedom and limited institutional accountability may create conditions in which journalists and civil society face greater difficulties in scrutinizing government policies. Such conditions should therefore be examined as potential manifestations of authoritarian practices or institutional weakness rather than as inherent characteristics of constitutional democracy. (Fontaine, 2024; *Navigating Malign Influence Campaigns in the Philippines*, 2024)

These findings suggest that tensions surrounding press freedom and journalism remain closely associated with broader political and institutional challenges in the Philippines. The evidence also indicates that domestic policies and political pressures may affect the ability of journalists to operate freely and safely.

CONCLUSION

The Ampatuan massacre is evidence of the dilemma of constitutional democracy with human security which tends to have weaknesses in guaranteeing freedom of speech, protection of rights from dangerous political issues, and the safety of civil society that has occurred since the Arroyo regime to Marcos by showing that the murder of journalists continues to occur consistently. The persistence of attacks against journalists indicates continuing challenges in ensuring effective protection of press freedom and human security in the Philippines. While some cases have generated allegations of state involvement or institutional failure, such claims require careful examination through documented investigations and authoritative evidence. Therefore, the issue should not be interpreted as evidence that constitutional democracy inherently produces violence, but rather as a potential gap between constitutional guarantees and their implementation. Ultimately, the fate of Filipino journalists has intimidated the risk by creating special journalistic ethics and field training in conflict situations with their positions remaining vulnerable. As long as constitutional law continues to be politicized and dominated by Filipino stakeholders that lead to injustice in policy making for civil society, the press and journalism.

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