

## **BUILDING A HUMAN RIGHTS CONSTITUENCY<sup>1</sup>**

Not so long ago, the veteran journalist Paulynn Paredes Sicam, who sits on the panel tasked with negotiations with the CPP-NPA-NDF, readily admitted that the talks are, to put it mildly, in limbo.

Someone asked her why she continued to be engaged in what seems to be an exercise in futility. She replied by saying someone has to try to keep reminding the powers-that-be, that peace is a priority, and not surrender the field to the hard-liners. She observed that the past twenty years has seen the disappearance of what she calls a “peace constituency,” and that the urgent task at hand is to rebuild one.

To this end, she has appealed to her fellow media practitioners to devote attention to peace developments, and to bear in mind that sensationalistic, or utterly cynical reportage can have a tremendously harmful effect on the prospects of peace. Careless or bloodthirsty reporting can be quite damaging to peace prospects in particular localities. She also said there are many inspiring stories that are never reported, or superficially reported: cases where communities

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rise up, and basically tell both government and the armed groups to leave their localities in peace – with the citizenry then maintaining that peace.

Mass media dominates our lives. It brings us together, it can make or break careers, it can heal or destroy lives, and it can be a tool for the mighty or the great leveler, giving the humblest of citizens a fighting chance to secure justice.

And yet print, radio, TV and new media's are increasingly targeting niche audiences. Media outfits now operating on a 24 hour news cycle and with cross-platform content use in mind, have even less time and resources for reporting stories that could use depth - whether the peace process, or human rights.

Ideally, government has resources that, if properly used, could help dispel the traditional -and increasing- mistrust between media and government, government and the public, the public and media and all professions, including the legal profession.

We can all hope for the day when government is interested less in producing propaganda, and more committed to providing useful information. Information that is relevant to all of us, even if the information is temporarily embarrassing or inconvenient to officials. If everyone in the news and media food chain feeds off reporters, then government should do all it can to provide useful, concise and freely-available information to reporters first, and the public second, as more and more media consumers double-check the reports they read, hear or view.

You are asking yourselves, at this point, what on earth this has to do with you, as lawyers or lawyers-to-be. Let me say, it has everything to do with what you are or want to be.

At the best of times, the protection of human rights requires going against powerful interests. Advocating human rights is made a little easier if the laws themselves enshrine human rights as a paramount consideration in dispensing justice. But even if armed with well-intentioned and formidably-written laws, human rights lawyers and their clients still face an uphill climb, if those manning the security, law enforcement, and justice bureaucracy are not inclined to apply the law in day-to-day life.

In which case, **public opinion serves as the ultimate jury**; a society that has recourse to freedom of speech and expression is able to wield a formidable veto power on those who would ignore human rights, or who think they can get away with lip service to the cause of human rights. And so, the media comes into play. Not because media, in and of itself, is particularly enlightened. But rather, because societies like ours, where sectors have little trust for each other, being able to sound the alarm is the only way to scare off the goons.

In a society, like ours, where authorities need very little encouragement to wield the police and military power to conceal their abuses, and clamp down on dissent, the powerless need a megaphone to call for help. But that megaphone would be useless, if someone sounded a distress call, and no one responded to the call for help.

Which brings us to what Paulynn Sicam called the need to rebuild a constituency for peace. *We need to rebuild a constituency for human rights*. The Marcos dictatorship is now two decades behind us. Its abuses, vivid in the minds of a certain generation, are beyond the comprehension of a younger generation.

Our citizenry has an instinctive appreciation for what's right, an equally instinctive dislike of anything that's wrong. You do not have to have studied law to know torture, abductions, disappearances, detentions, are wrong. But it is a mighty weapon, indeed, to know that these wrongs are abhorred by our laws, detested by our constitution, vigorously denied by international agreements on human rights.

As a non-lawyer, I have something in common with you, who have dedicated your lives to defending human rights by means of our legal system. I am tasked with helping draft legislation, on deliberating on it, and approving it.

For example, whether in drafting legislation or interpolating my peers on their proposals, I know that the advocacy of human rights involves its own language, and **I always wonder if, in the rush to hold pro- and con- press conferences, the political players and reporters who take pains to use the same language, also assume the public shares those assumptions.**

This is a basic question. Are the terms being flung about all understood in the same way by everyone involved? And where would one go, to find out generally-accepted definitions?

Those of us in government, I admit, are in a very good position to help propagate a glossary of human rights related terms. The definitions, however, must come from you. You are the only ones who can create definitions that have meaning, because they reference the law. Having consecrated your lives to defending those whose human rights have been trampled let me ask you to arrive at a consensus on these definitions.

Never mind if, to you, as legal practitioners, this might be like reinventing the wheel. It won't be. It is a fundamental exercise in building a new human rights constituency. And it will be done, within the ambit of the law, according to your basic rights as professionals and citizens, yet outside the halls of government. That makes possible an essential element to exist, for legitimacy: it has not been imposed from above, decreed from the lofty heights of authority, but arrived at, among peers, in consultation with your past and present clients.

I think such an exercise would receive favorable attention from media. You can count on members of the legislature, such as myself, to amplify and help distribute, the product of your effort at consensus. You would have translated the law, dissected the provisions of our system of justice, into idioms, expressions, and concepts relevant to our fellow citizens. You would have reclaimed the law as the great equalizer, instead of the disgraceful tool for abuse that it is, at present.