

FAKE NEWS IN THE TIME OF THE PANDEMIC*

Paulo Romeo J. Yusi**

ABSTRACT

Should the State punish fake news? More importantly, can it validly do so without infringing upon the fundamental right to freedom of speech? These are just some of the dilemmas that have colored the past decade. Despite the numerous heated discussions on the matter, there has yet to be a consensus among the legal community. Unfortunately, the tragedy that is the COVID-19 pandemic has changed the landscape for the time being. The already concerning dangers of fake news that existed before are now alarming against the backdrop of a citizenry that is increasingly susceptible to gullibility because of collective paranoia over the virus. This paper will thus examine the constitutionality of the government's efforts in battling fake news by dissecting the value (or lack thereof) of fake news in relation to existing free speech jurisprudence. In so doing, this paper, in the long term, hopes to contribute a more nuanced discussion to the developing literature on fake news and, more importantly, a guiding model for similar governmental regulations in the future.

I. INTRODUCTION

In early June 2020, a certain Rhemuel Lunio—better known by his stage alias “DJ Loonyo”—went viral for a video he posted online. In the said video, he claimed that the wearing of face masks is counterproductive and dangerous to the wearer. To quote, he said:

Pero sang ayon ako doon na the more you wear the mask, na nakagano'n parati, kumbaga parang ini-inhale mo 'yung sarili mong utot. Kaya mo nga

* Cite as Paulo Romeo Yusi, *Fake News in the Time of the Pandemic*, 93 (Special Online Feature) PHIL. L.J. 238, [page cited] (2020).

** J.D., University of the Philippines College of Law (2021, expected); A.B. Literature, *cum laude*, De La Salle University-Manila (2016); Member, Price Media Law Moot Court Competition (2019-2020); Editorial Assistant, PHILIPPINE LAW JOURNAL Vol. 93.

*nilalabas 'yun eh, kaya mo nga nilalabas kasi hindi kailangan ng katawan mo 'yun. Kailangan mo ng panibagong, kailangan mo ng oxygen. Ngayon ang ini-inhale mo parang ano 'yung poison ang iniinhale sa katawan mo and it makes your immune system weak.*¹

Admittedly, Lunio did not claim that people should stop wearing face masks altogether. He qualified his statement by saying that he simply intended to advise against the constant wearing of face masks in light of their supposedly adverse effects. The statement naturally elicited a variety of reactions on social media, with one person specifically describing the absurdity of his statement to be “flat earther-like.”² There is good reason for this uproar, of course. The wearing of facemasks—which has become the new normal in the age of COVID-19—does not actually cause hypoxia and/or hypercapnia.³ No less than the World Health Organization has declared that “there is no evidence that using face masks for a prolonged period of time causes any adverse effect on the brain or heart function.”⁴

It would not be unreasonable to infer that Lunio’s statements were based on several dubious Facebook posts that heavily circulated the platform at that time.⁵ The claims in these posts ranged from the reduction of oxygen flow to the brain to the outright possibility of death. While it is relieving that the falsity of such statements was exposed early on, one cannot help but speculate on the disasters that would have ensued if that was not the case.

False claims are nothing new to social media. The term “fake news” has been so widely used over the past couple of years that it has been loosely thrown around by government officials seeking to discredit the integrity of critics and journalists. However, it is only just now, in the whirlwind of the pandemic, that its harms have truly dawned on the general public.

¹ Triz Pereña, *DJ Loonyo goes viral anew because of a video showing him airing his thoughts on face masks*, KAMI, June 4, 2020, at <https://www.msn.com/en-ph/entertainment/celebrity/dj-loonyo-goes-viral-anew-because-of-a-video-showing-him-airing-his-thoughts-on-face-masks/ar-BB1546Mr>

² Bernie Franco, *Lauren Young calls DJ Loonyo “bobo” over his analogy on wearing face mask for too long*, PEP.PH, June 5, 2020, at <https://www.pep.ph/news/local/151872/lauren-young-dj-loonyo-face-mask-a717-20200605-lfrm>

³ Loreben Tuquero, *FALSE: Prolonged face mask use causes hypoxia, hypercapnia*, RAPPLER, June 5, 2020, at <https://www.rappler.com/newsbreak/fact-check/263009-prolonged-use-face-mask-causes-hypoxia-hypercapnia>. “Hypoxia is a condition in which the body’s tissues are starved of oxygen. Hypercapnia means having excessive carbon dioxide in the bloodstream.”

⁴ *Id.*

⁵ *Id.*

For the longest time, fake news has been tolerated because it is believed to be “the price we pay for a free society.”⁶ The freedom of people to lie and mislead, coupled with the ability of the general populace to discern between a statesman and a charlatan, is supposedly what democracy is all about.⁷ Certain government officials have even gone as far as citing the necessity of fake news within the marketplace of ideas.⁸ These sentiments are understandable. Regulating speech based on what it said, rather than how it is said, may constitute a content-based restriction on the freedom of speech⁹ and may therefore be repugnant to the guarantees of the Constitution.

Currently, the country unfortunately finds itself in a public health crisis that has claimed the lives of millions, directly and indirectly. People are no longer going about their day with the same air of nonchalance as they did prior. Everyone is now teetering on the edge of their seats to take note of every policy or directive issued by the national government or local government units (“LGUs”). Every piece of relevant information is clung onto.

In light of these circumstances, the Bayanihan to Heal As One Act (“Bayanihan Act”) was passed. Section 6(f) of the law penalizes those who partake in spreading fake news during the time of the pandemic with imprisonment of not more than two months and/or a fine of not less than PHP 10,000.00 but not more than PHP 1,000,000.00.¹⁰ This measure, however, has elicited strong reactions from some sectors,¹¹ and even high-ranking government officials, who all insist on its impropriety.¹² This is precisely what this paper seeks to shed light on.

Part I begins by untangling the often evasive definition of fake news and attempting to find a definitive meaning of the term. Part II then proceeds by examining the legal status of fake news under current jurisprudence and

⁶ Ari Ezra Waldman, *The Marketplace of Fake News*, 20 U. PA. J. CONST. L. 845, 849 (2018).

⁷ *Id.*

⁸ Genalyn Kabling, *Fake news part of ‘free marketplace of ideas’ – Roque*, MANILA BULLETIN, Jan. 30, 2018, available at <https://news.mb.com.ph/2018/01/29/fake-news-part-of-free-marketplace-of-ideas-roque>

⁹ Chavez v. Gonzales, 569 Phil. 155 (2008).

¹⁰ Rep. Act No. 11469 (2020), § 6(f).

¹¹ See Alyssa Mae Clarin, *Constitutionality of ‘fake news’ provision can be challenged – lawyer*, BULATLAT, Apr. 2, 2020, at <https://www.bulatlat.com/2020/04/02/constitutionality-of-fake-news-provision-can-be-challenged-lawyer>

¹² See Hannah Torregaza, *Repeal punitive provisions of Bayanihan 1 – De Lima*, MANILA BULLETIN, June 4, 2020, available at <https://news.mb.com.ph/2020/06/04/repeal-punitive-provisions-of-bayanihan-1-de-lima>

the constitutional concerns relating to its regulation. It argues that, contrary to popular opinion, fake news is not within the scope of the marketplace of ideas and is thus ripe for governmental regulation. Part III then applies existing free speech tests side by side with several thought experiments to justify the validity of the criminalization of fake news under the Bayanihan Act. Part IV then concludes by making recommendations as to similar future regulations.

II. WHAT IS FAKE NEWS?

The term “fake news” is one that has consistently eluded definition. Professor Ari Ezra Waldman defines it as “misinformation designed to mislead readers by looking like and coming across as traditional media.”¹³ The problem with this definition, though, is that it is simultaneously too narrow and overly broad.

The definition is too narrow in the sense that it fails to fully capture the wide array of forms that false information comes in. For example, Esther Margaux Uson, more popularly known as “Mocha” Uson, often peddles misinformation through non-traditional platforms such as Facebook. There is certainly no question on whether she passes off such misinformation as if it was done by traditional media—she does not. In fact, one of the reasons why fake news became so prevalent is because personalities, such as Uson, have provided alternative outlets that are drastically different from traditional media; this is the so-called “new fake news.” It is noticeably different from the passing-off-as-real-news model in the following ways: (a) it is often produced by individuals, (b) distributed entirely via social networks like Twitter and Facebook, and (c) relies, for its spread, not on any sort of physical infrastructure, but rather on the function of those networks, specifically via “sharing.”¹⁴

In light of this “new fake news,” to accept Waldman’s definition of fake news would not only be restrictive, it would miss the entire societal context behind fake news in general, i.e. the reliance on alternative sources of information. Thankfully, the national government, through the National Bureau of Investigation (NBI), has seemingly taken on a much liberal interpretation. For instance, the NBI found probable cause that Uson violated

¹³ Waldman, *supra* note 6, citing Hunt Allcott & Matthew Gentzkow, *Social Media and Fake News in the 2016 Election*, 31 J. ECON. PERSP. 211, 213 (2017).

¹⁴ Jessica Pepp, Eliot Michaelson & Rachel Katharine Sterken, *What's New about Fake News*, 16 J. ETHICS & SOC. PHIL. 67 (2019).

Section 6(f) of the Bayanihan Act based on her Facebook post. The post attributed to the administration the delivery of some 15,000 sets of personal protective equipment (“PPE”) to health workers fighting against COVID-19, when, in reality, the PPEs came from the SM Foundation, Inc.¹⁵

Waldman’s definition is likewise too broad because it refers to *misinformation*. Misinformation, however, is defined simply as “incorrect or misleading information.”¹⁶ Under this broad umbrella, the term encompasses even false information that is disseminated or published accidentally or, at worst, negligently (e.g. because of editorial oversight.) One example would be a journalist who wrongfully and accidentally tweets about the lifting of curfew. It would be absurd to refer to the tweet as an act of fake news because the essence of the term connotes an element of malice. Instead, fake news is better understood in light of *disinformation*.

Disinformation is defined as “false information deliberately and often covertly spread (as by the planting of rumors) in order to influence public opinion or obscure the truth.”¹⁷ The reason for this viewpoint is simple: the penalization of fake news should be directed at acts that cause noticeable harm and disruption to the otherwise healthy functioning of society. It should not be directed at accidental errors or products of negligence. This certainly seems to be the position likewise taken by Congress in the Bayanihan Act. Section 6(f) thereof defines fake news as the act of “creating, perpetrating, or spreading false information regarding the COVID-19 crisis on social media and other platforms, such information having no valid or beneficial effect on the population, and are *clearly geared* to promote chaos, panic, anarchy, fear, or confusion.”¹⁸

While the provision does not make any express mention of the terms “deliberate” or “intentionally,” these elements can be implied from the use of the words “clearly geared.” The inclusion of such words qualifies the mere creation, perpetration, or spread of false information with an underlying intent to promote chaos, panic, anarchy, fear, or confusion. It is also clear that the act must not necessarily lead to the realization of those states; it is enough that the overt act was coupled with the intent to promote the same.

¹⁵ Anjo Alimario & Vince Ferreras, *NBI asks Mocha Uson to explain on fake PPE photo*, CNN PHIL., May 13, 2020, at <https://www.cnnphilippines.com/news/2020/5/13/NBI-summons-Mocha-Uson-fake-news-.html>

¹⁶ *Misinformation*, MERRIAM-WEBSTER DICTIONARY, available at <https://www.merriam-webster.com/dictionary/misinformation>

¹⁷ *Disinformation*, MERRIAM-WEBSTER DICTIONARY, available at <https://www.merriam-webster.com/dictionary/disinformation>

¹⁸ Rep. Act No. 11469, § 6(f). (Emphasis supplied.)

Under this characterization, people like Lunio can safely claim that they are not peddlers of fake news because they had no intent to incite chaos or panic.¹⁹ As much as his statements were imprudent, it was simply that: a lack of care on his part to conduct proper research before making his statement.

Now that fake news has been defined, the next step is to understand the reasons behind the steady resistance against its penalization.

III. UNTANGLING THE KNOTS

A. The Story So Far

Upon the passage of the Bayanihan Act, several figures in the legal community quickly voiced their opposition to Section 6(f) for supposedly infringing upon the right to freedom of expression. Senator Leila De Lima argued that it was a form of suppression of freedom of speech, a “martial law tactic” even.²⁰ National Union of People’s Lawyers President Edre Olalia, on the other hand, believed that criminalization should not be the answer to the deliberate spread of false news. Rather, the better solution is “to populate the space with truth and place safeguards as well as to expose lack of integrity, reliability and accuracy of the source of fake news.”²¹ Some digital rights advocates had even pushed for the repeal of that specific provision as it “curtails free expression, including constructive criticisms.”²²

¹⁹ See Jan Severo, *DJ Loonyo apologizes for mass testing remarks*, PHIL. STAR, June 3, 2020, available at <https://www.philstar.com/entertainment/2020/06/03/2018475/dj-loonyo-apologizes-mass-testing-remarks>

²⁰ Lian Buan, *Bayanihan Act’s sanction vs ‘false’ info the ‘most dangerous,’* RAPPLER, Mar. 29, 2020, at <https://www.rappler.com/nation/256256-sanctions-fake-news-bayanihan-act-most-dangerous>

²¹ Kristine Joy Patag, *During state of emergency, ‘Bayanihan’ Act allows imprisonment for false information*, PHIL. STAR, Mar. 25, 2020, available at <https://www.philstar.com/headlines/2020/03/25/2003374/during-state-emergency-bayanihan-act-allows-imprisonment-false-information>

²² Llanesca Panti, *Digital rights advocates seek repeal of Bayanihan law provision punishing ‘fake news’ peddler*, GMA NEWS ONLINE, Apr. 1, 2020, at <https://www.gmanetwork.com/news/news/nation/732226/digital-rights-advocates-seek-repeal-of-bayanihan-law-provision-punishing-fake-news-peddlers/story>

These concerns are not unfounded. There is a plethora of free speech literature that seemingly bestows protected status to fake news.²³ The most prominent among these is the “marketplace of ideas” metaphor, as conceptualized by Justice Oliver Wendell Holmes, Jr. in his dissent in *Abrams v. U.S.*²⁴ Under the marketplace metaphor, *bad* speech—such as fake news—shall be quelled not by state action, but rather by the proliferation of *good* speech in the hopes of drowning out the former. In the decades that followed, the Philippine Supreme Court has adopted Holmes’ dissent as one of the many guiding principles in resolving free speech cases.²⁵

Further support to the position of those against government regulation is the U.S. landmark case of *US v. Alvarez*.²⁶ In that case, the accused Xavier Alvarez claimed that he had previously served in the U.S. Marines for 25 years and was awarded the Congressional Medal of Honor for his efforts. None of these were true, however; and as a result, Alvarez was convicted of violating the Stolen Valor Act of 2005, which penalized the act of falsely claiming receipt decorations and/or medals. When the case reached the Supreme Court, the Court ruled that the said statute was invalid for running afoul of the constitutional guarantee of free speech. The Court classified the provisions of the law as a content-based regulation on speech; and as such, the law bears a heavy presumption of unconstitutionality. In the absence of any exceptional interest in the circumstances, mere falsity alone cannot stand as sufficient reason for taking a speech outside the protection of the First Amendment.²⁷

The *Alvarez* decision did not come in a moment’s flash. Instead, it was a concrete affirmation of a libertarian approach to speech that has been carefully cultivated over the years prior. In *Gertz v. Robert Welch, Inc.*, the Court proclaimed that “there is no such thing as a false idea.”²⁸ Subsequently, in *Brown v. Hartlage*, it was held that erroneous statements are not only tolerable, but “inevitable in free debate, and it must be protected if the freedoms of expression are to have the ‘breathing space’ that they need to survive.”²⁹

²³ Alvin Goldman & Daniel Baker, *Free Speech, Fake News, And Democracy*, 18 FIRST AMENDMENT L. REV. 66, 73 (2019).

²⁴ *Abrams v. United States* [hereinafter “*Abrams*”], 250 U.S. 616 (1919) (Holmes, J., *dissenting*).

²⁵ See *Iglesia ni Cristo v. C’t. of Appeals*, 328 Phil. 893 (1996); *Soriano v. Laguardia*, 605 Phil. 43 (2009) (Corona, J., *separate*); *Disini v. Sec’y of Justice*, 727 Phil. 28 (2014) (Serenio, C.J., *dissenting and concurring*).

²⁶ 567 U.S. 709 (2012).

²⁷ *Id.* at 719.

²⁸ 418 U. S. 323, 339 (1974).

²⁹ *Brown v. Hartlage*, 456 U.S. 45, 60-61 (1982), *citing* *New York Times v. Sullivan*, 376 U.S. 254, 271-72 (1964).

Although the Court, in these and many other cases, spoke in excerpts, it nevertheless laid the groundwork for its ultimate pronouncement in *Alvarez* that falsehood is protected speech.

Holmes' mantra, "that the best test of truth is the power of the thought to get itself accepted in the competition of the market,"³⁰ for the most part remains the gold standard in approaching the problem of fake news. However, practical considerations relative its real-life application have posed several difficulties in recent years.

The difficulty with placing fake news within the marketplace metaphor is that it severely restricts what the State can do to combat the adverse effects of fake news on society. With the advent of social media, fake news has proliferated at a much higher and faster rate than the normal internet user can comprehend. This led to the current setup wherein the State effectively delegates the regulation of these matters to the platforms themselves.³¹ Similar to the marketplace metaphor, the entrustment of fake news regulation to private third-party platforms finds basis in constitutional law.

It must be emphasized that the current 1987 Constitution was crafted with the state action doctrine in mind.³² This means that the guarantees of freedom of speech under the Bill of Rights³³ can only be violated by the State or its agents.³⁴ On the other hand, private social media platforms are not constitutionally bound to ensure the unobstructed flow of speech within its forum.³⁵ In fact, the U.S. Supreme Court echoed this sentiment in the fairly recent case of *Manhattan Access Corp. v. Halleck*.³⁶

In that case, the respondent producers were suspended by the Manhattan Neighborhood Network ("MNN") after they produced and aired

³⁰ *Abrams*, 250 U.S. 616, 630 (Holmes, J., *dissenting*).

³¹ See Julia Wong, *Will Facebook's new oversight board be a radical shift or a reputational shield?*, THE GUARDIAN, May 7, 2020, available at <https://www.theguardian.com/technology/2020/may/07/will-facebooks-new-oversight-board-be-a-radical-shift-or-a-reputational-shield>. See also Waldman, *supra* note 6, at 857 where the task of identifying fake news is entrusted to artificial intelligence.

³² I RECORD CONST. COMM'N 674 (July 17, 1986).

³³ CONST. art. III, § 4. *But see* CIVIL CODE, art. 32 where the infringement of constitutional rights may give rise to a cause of action for damages.

³⁴ *People v. Marti*, 271 Phil. 51 (1991).

³⁵ Hilary Hurd, *Fake News and the Looming "State Action" Problem*, HARV. J. L. & TECH. DIG. 16 (2019), available at <https://jolt.law.harvard.edu/digest/fake-news-and-the-looming-state-action-problem>

³⁶ 587 U.S. ____ (2019).

a film that was critical of MNN. The producers argued that their rights to freedom of speech and expression were violated as a result of the content-based restriction to their access to public access channels. The Court, in a narrow 5-4 decision, ruled that MNN, being a private platform, does not qualify as a state actor and thus may validly abridge its producers' exercise of freedom of speech.³⁷

However, this setup, despite being a step in the right direction, creates problems. Regulations by social media platforms lack the teeth that government regulation would otherwise have. As testament to this, an initial evaluation of self-imposed social media codes of conduct reveals that Facebook removed only 28.3% of illegal content within 24 hours. Twitter, on the other hand, removed only 19.1%.³⁸ It also leads to inevitable conflicts of interest, because the same false speech which must ideally be regulated also drives tremendous revenue for the very same platforms.³⁹ Thus, by enacting Section 6(f) of the Bayanihan Act, the State directly steps in and seeks to plug these holes.

B. A Different Angle

1. *Facts Versus Opinions*

Much of the apprehension, if not resistance, against the penalization of fake news—even in times of national distress—stems from a misunderstanding of the phenomenon. This misunderstanding lumps fake news together with the articulation of unpopular opinions, as if the two were inherently the same—they are not.

Fake news—by its very name—refers to false *information*, hence the term “news.” It deals with false facts, rather than contrarian views. Consider again this statement: “*wearing a face mask greatly reduces your oxygen intake.*” The statement is obviously scientifically incorrect. Studies have concretely proven that wearing a face mask will not have a detrimental effect on one’s health.⁴⁰

³⁷ *Id.* at 13-14.

³⁸ Jomari De Leon, Keir Enriquez & Jose Angelo Tiglao, *Rise of the Troll: Exploring the Constitutional Challenges to Social Media and Fake News Regulation in the Philippines*, 64 ATENELO L.J. 150, 202 (2019).

³⁹ See Peter Cohan, *Does Facebook Generate Over Half of Its Ad Revenue From Fake News?*, FORBES, Nov. 25, 2016, available at <https://www.forbes.com/sites/petercohan/2016/11/25/does-facebook-generate-over-half-its-revenue-from-fake-news/#4a6b17d7375f>

⁴⁰ See Jack Goodman & Flora Carmichael, *Coronavirus: ‘Deadly masks’ claims debunked*, BBC NEWS, June 20, 2020, at <https://www.bbc.com/news/53108405>

That statement, if coupled with an intent to cause harm, would constitute fake news insofar as it purports to be a factual claim on a certain point. It does not carry any value judgment because it attempts to draw a virtual line between what is correct (that a face mask *will reduce* your oxygen intake) and incorrect (that a face mask *will not reduce* your oxygen intake).

Compare that now to this statement: “*I will not wear a mask because I believe it will impair my ability to properly breathe.*” This second statement does not try to proclaim the factuality of the matter. It simply articulates one’s ill-informed belief based on his own appreciation of the circumstances and his discretion.

When Human Rights Watch Asia Deputy Director Phil Robertson claimed that Section 6(f) is “over-broad and can easily be misused by Philippine authorities to crack down on online criticism of government efforts,”⁴¹ he was referring to the latter type of speech which deals with thoughts and opinions. Fake news, as contextualized under Section 6(f), however, refers strictly to cold hard facts. It does not cover criticisms of government initiatives and responses. Thus, while deliberately posting and spreading on social media that “*provincial buses can now resume operations*”⁴² may possibly incur make a person liable under the Bayanihan Act, claiming that “*the national government and LGUs should start processing the resumption of provincial bus operations*”⁴³ will not.

2. *A Marketplace Irregularity*

With that misunderstanding hopefully clarified, fake news can now be seen for what it truly is: an anomaly in the marketplace of ideas, rather than a vital component thereof.

One way around the marketplace barrier is that, like an economic marketplace, the marketplace of ideas may be susceptible to market failure. The reason for this is that the overcrowding of the marketplace with intentional lies and deliberate falsehoods for the purpose of confusing and sowing panic may plausibly lead to its outright collapse.⁴⁴ In support of this proposition, a recent study conducted by researchers at the Massachusetts

⁴¹ Patag, *supra* note 21.

⁴² *But see* Raymond Carl Dela Cruz, *No city, prov'l buses in 1st phase of Metro Manila GCO*, PHIL. NEWS AGENCY, May 29, 2020, at <https://www.pna.gov.ph/articles/1104330>

⁴³ Rhaydz Barcia, *After Silvertino death, resumption of provincial bus operations pushed*, RAPPLER, June 17, 2020, at <https://www.rappler.com/nation/264030-after-silvertino-death-resumption-provincial-bus-operations-pushed>

⁴⁴ Waldman, *supra* note 6, at 863.

Institute of Technology found that, among 126,000 true and false stories tweeted by more or less 3 million people around 4.5 million times, false stories diffused “farther, faster, deeper, and more broadly than the truth in all categories of information.”⁴⁵

Regardless of such compelling reasons to declare fake news as a cause of market failure, both the Philippine and U.S. Supreme Courts already seem decided that it is not so. A more potent argument then may be to challenge the inclusion of fake news in the marketplace head-on.

It must be noted that *Abrams*, the original source of the marketplace of ideas concept, was directly concerned with circulars intended to provoke and encourage resistance to the war against Germany by advocating for general worker strikes in ammunition factories.⁴⁶ It is apparent, therefore, that when Justice Holmes spoke of good speech drowning out the strength of bad speech, he was referring to the unpopularity of the anti-war advocacies which were manifested through the said circulars. He was not referring to demonstrable falsehoods rising to the level of fact. His invocation of truth in the line “that the best test of truth is the power of the thought to get itself accepted in the competition of the market”⁴⁷ must be understood in the context of consensus victory in the marketplace instead of factual certainty.

Take for example the teaching of astrology. Astrology is the study of the movements and positions of the sun, moon, planets, and stars in the belief that they affect the character and lives of people.⁴⁸ It is now universally considered as pseudoscience because of the lack of hard evidence as to its authenticity.⁴⁹ In any case, claiming that astrology has succeeded in the marketplace of ideas does not make them any more true than the claims of phrenology, which succeeded in the public and scientific marketplace of ideas in the 19th century, even though they are now widely understood to be plainly false.⁵⁰ What would be within the scope of the marketplace is the viability of astrology as a possible pastime, but never as an accurate science at the same level as medicine or psychology.

⁴⁵ Soroush Vosoughi, Deb Roy & Sinan Aral, *The Spread of True and False News Online*, 359 SCIENCE 1146, 1147 (2018).

⁴⁶ *Abrams*, 250 U.S. 616, 616.

⁴⁷ *Id.* at 630.

⁴⁸ *Astrology*, CAMBRIDGE ENGLISH DICTIONARY, available at <https://dictionary.cambridge.org/us/dictionary/english/astrology>

⁴⁹ Paul Thargard, *Why Astrology Is A Pseudoscience*, 1 PSA: PROCEEDINGS OF THE BIENNIAL MEETING OF THE PHILOSOPHY OF SCIENCE ASSOCIATION 223, 223 (1978).

⁵⁰ Frederick Schauer, *Facts and the First Amendment*, 57 UCLAL. REV. 897, 908 (2010).

Indeed, demonstrable falsehoods were never part of the intellectual tradition of the marketplace metaphor.⁵¹ To say otherwise would confirm the much maligned saying that “[i]f you tell a lie big enough and keep repeating it, people will eventually come to believe it.”⁵² The marketplace speaks of ideas and advocacies couched in the tangibility of speech, hence the name “marketplace of *ideas*.” To include falsehoods therein would dilute the essence of the doctrine, precisely because falsehoods hold no essential value to any discourse.⁵³ The marketplace of ideas should always be restricted to speech which holds a certain degree of value, no matter how popular or unpopular it is. This virtual townhall was created for the purpose of engaging discussions from different contrasting, and even clashing, ideas. It was not meant to foster ridiculous debates about immovable facts. Unless people collectively concede that falsehoods possess even an iota of contributable value, then the marketplace of ideas should remain closed and uninhabitable to perpetrators of fake news.

IV. ADDRESSING THE PROBLEM

Arguing why fake news is outside the ambit of the marketplace of ideas is one thing, but explaining why it is just that it be penalized is another thing altogether. After all, the constitutional framework for free speech sets out that all types of speech are generally considered protected, unless otherwise declared. In determining whether speech is protected or not, the Philippine Supreme Court has adopted several jurisprudential tests from the U.S. The “dangerous tendency” rule initially found favor in early Philippine jurisprudence. However, more recent decisions have preferred the “clear and present danger” rule adopted in *Schenck v. U.S.*⁵⁴ as the primary test.⁵⁵

In passing upon the constitutionality of a statute under the “clear and present danger” test, the question that must be asked in every case is “whether the words are used in such circumstances and are of such nature as to create

⁵¹ Waldman, *supra* note 6, at 866.

⁵² The quote has often been attributed to Nazi Minister of Propaganda Joseph Goebbels. However, there is no actual evidence that Goebbels had made such a statement. Nevertheless, the overall concept of the “Big Lie” as a propaganda technique was originally coined by Adolf Hitler in his book *Mein Kampf*; *See* ADOLF HITLER, *MEIN KAMPF* 176 (James Murphy trans., 1939) (1925).

⁵³ *Hustler Magazine v. Falwell*, 485 U.S. 46, 52 (1988).

⁵⁴ Hereinafter “*Schenck*.” 249 U.S. 47 (1919).

⁵⁵ JOAQUIN BERNAS, S.J., *THE 1987 CONSTITUTION OF THE REPUBLIC OF THE PHILIPPINES: A COMMENTARY* 252 (2009). *See also* De Leon, Enriquez & Tiglao, *supra* note 38, at 208.

a clear and present danger that they will bring about substantive evils that Congress has a right to prevent.”⁵⁶ If the speech presents a clear and present danger, then the statute will be deemed constitutional. It is thus a question of *proximity* and *degree*.⁵⁷ Applying this framework to the current COVID-19 crisis, the need for congressional intervention, through the Bayanihan Act, is unmistakable.

First, the issue of proximity herein is palpable. The pandemic has left Filipinos greatly immobilized and restricted in their actions due to the imposed quarantine measures. Many businesses have suffered irreparable losses at best and have been forced to shut down at worst.⁵⁸ As a result, everyone is on the edge of their seats as to the next steps that the government plans to take. Thus, each piece of information relating to the pandemic is immediately consumed by the general populace. A prime illustration of just how quickly this consumption of information takes place is the spread of Facebook graphics, attributed to local Nueva Ecija station TV48, detailing the alleged extension of the Enhanced Community Quarantine (“ECQ”), which was slated to end on May 15, to May 25. In some iterations of the graphics, the extension was until May 30.⁵⁹ However, when these graphics initially spread, the Inter-Agency Task Force had not yet made any recommendations on whether to extend the ECQ or not.⁶⁰ Nonetheless, that did not stop people on social media from sharing the said posts constantly, much to the confusion of many others. Like yelling fire in a crowded theater,⁶¹ the spread of these fake graphics quickly resulted in a state of panic among the general populace.

The spread of the said graphics was not an isolated incident. Back in April, rumors of the President potentially announcing a total lockdown circulated on Facebook timelines and chat groups of messaging applications.⁶²

⁵⁶ *Gonzales v. Comm’n on Elections*, 137 Phil. 471 (1969), *citing Schenck*, 249 U.S. 47, 52.

⁵⁷ *Schenck*, 249 U.S. 47, 52. (Emphasis supplied.)

⁵⁸ See Bernadette Nicolas & Jovee Dela Cruz, *With P465-billion small business losses, relief pushed*, BUSINESS MIRROR, Apr. 27, 2020, available at <https://businessmirror.com.ph/2020/04/27/with-p465-billion-small-business-losses-relief-pushed>; Lino Guevarra, *Easing the closing of business due to Covid-19*, BUSINESS MIRROR, available at <https://businessmirror.com.ph/2020/07/07/easing-the-closing-of-business-due-to-covid-19>

⁵⁹ Loreben Tuquero, *FALSE: Enhanced community quarantine extended after May 15*, RAPPLER, May 8, 2020, at <https://www.rappler.com/newsbreak/fact-check/260245-enhanced-community-quarantine-extended-after-may-15-2020>

⁶⁰ *Id.*

⁶¹ *Schenck*, 249 U.S. 47, 52.

⁶² Pauline Macaraeg *FALSE: Duterte to declare total lockdown, close all establishments*, RAPPLER, Apr. 16, 2020, at <https://www.rappler.com/newsbreak/fact-check/258113-duterte-declare-total-lockdown-close-all-establishments>

The fear that such rumors instilled in people fanned so quickly that the Philippine National Police had to debunk the claims on their own Facebook page for the sake of public order.⁶³

Likewise, in mid-March, several posts popped up on Facebook claiming that the President had ordered a mandatory one month “no work with pay” policy for businesses.⁶⁴ The posts, which were accompanied by a manipulated screenshot of the President during one of his nightly addresses, remained in circulation on social media at least until April 7.⁶⁵

Second, the proliferation of fake news in the time of the pandemic would produce severe repercussions if left unchecked. Imagine a series of false posts claiming that asymptomatic carriers of the virus cannot transmit the same to healthy third persons.⁶⁶ The posts will heavily circulate on social media and on messaging applications; and as a result, tens of thousands of people become complacent in public interactions, from not wearing face masks to no longer observing proper social distancing precautions. Because of these actions, there could be a sudden spike in new COVID-19 cases, resulting in the deaths of hundreds and the hospitalization of thousands more. The government may then be forced to impose another month-long ECQ, much to the disadvantage of small businesses and minimum wage workers.

While that scenario is hypothetical, the dangers that fake news poses during the pandemic are certainly not. No less than the Supreme Court has recognized that a rally permit can be denied on the grounds of a clear and present danger to public safety and public health.⁶⁷ If such is the case for rallies—which are lawful exercises of the people’s right to peaceably assemble⁶⁸—what more for fake news, which is inimical to the marketplace of ideas and of no considerable benefit to society? The pandemic and the casualties it has left in its trail on all fronts make congressional response not just desirable, but rather crucial.

⁶³ *Id.*

⁶⁴ Loreben Tuquero, *FALSE: Duterte orders mandatory ‘no work, with pay’ policy for a month*, RAPPLER, April 10, 2020, at <https://www.rappler.com/newsbreak/fact-check/257543-duterte-orders-mandatory-no-work-with-pay-policy-for-month>

⁶⁵ *Id.*

⁶⁶ See Agence France-Presse, *WHO clarifies COVID-19 ‘very rare’ transmission remarks*, INQUIRER.NET, June 10, 2020, available at <https://newsinfo.inquirer.net/1289266/who-clarifies-covid-19-very-rare-transmission-remarks>

⁶⁷ *Bayan v. Ermita*, 522 Phil. 201 (2006).

⁶⁸ CONST. art. III, § 4.

However, it must be noted that, despite the need to address the plague that is fake news, the method by which it is achieved must be narrowly tailored to fulfill the compelling state interest.⁶⁹ In this case, Section 6(f) penalizes “[i]ndividuals or groups creating, perpetrating, or spreading” fake news. In keeping with the Court’s ratio in *Disini v. Secretary of Justice*,⁷⁰ such line must be construed to attach liability only to the original authors and propagators of the false information, but not to those who find themselves “liking,” “sharing,” or “commenting” on the same. This is especially true with respect to the term “spreading.” Despite the general understanding of the word, it must not be interpreted in such a manner that would produce a chilling effect on the exercise of online speech. Rather, the term, at most, should be interpreted as strictly referring to people who, although not the principal authors of the fake news, are nevertheless intentionally privy and essential to the deliberate spread of the same—similar to the concept of principals by indispensable cooperation.⁷¹

V. CONCLUSION

A. Understanding the Reservations

Most of the opposition to Section 6(f) appears to be fixated not at the legal theory behind the provision itself, but rather at the possible abuses that may occur as a result of its enforcement. These are understandable concerns, if not fears, especially in light of the various controversies that surrounded the passage of the Bayanihan Act⁷² and its inherent potential as a tool for silencing controversial statements.⁷³ However, those are different stories for a different time altogether.

Outside of concerns against the implementation of Section 6(f), it would be hard to argue against the harms that fake news has caused, not just

⁶⁹ *Samahan ng Mga Progresibong Kabataan v. Quezon City*, 815 Phil. 1067 (2017).

⁷⁰ 727 Phil. 28 (2014).

⁷¹ REV. PEN. CODE, art. 17 (3). Principals by indispensable cooperation are “[t]hose who cooperate in the commission of the offense by another act without which it would not have been accomplished.”

⁷² See Julie McCarthy, *Concerns In Philippines After Duterte Given Emergency Powers To Fight COVID-19 Spread*, NAT’L PUBLIC RADIO, Mar. 4, 2020, at <https://www.npr.org/sections/coronavirus-live-updates/2020/03/24/820906636/concerns-in-philippines-after-duterte-given-emergency-powers-to-fight-covid-19-s>

⁷³ Ryan Macasero, *Human rights orgs urge gov’t to drop charges vs Cebu artist Bambi Beltran*, RAPPLER, Apr. 23, 2020, at <https://www.rappler.com/nation/258841-human-rights-orgs-drop-charges-cebu-artist-bambi-beltran>

during the pandemic, but in the past several years. For instance, studies show that once fake news is posted and allowed to spread, even retractions are ill-equipped to change the minds of people as to the veracity of the false information.⁷⁴ With the threat of the virus ever so present, this already concerning danger is stretched to its extreme.

B. Looking Back, Moving Forward

It is important to point out that the main reason why Section 6(f) survives constitutional muster is that it contains a sunset clause, with the Bayanihan Act's effectivity limited to only three months from the date of publication.⁷⁵ Without that specific caveat, Section 6(f) becomes a blanket regulation of fake news. If that is the case, the provision then becomes constitutionally suspect as neither the elements of proximity nor degree would appear to be present. In short, there would be no clear and present danger warranting congressional action, since the tensions and anxieties that have defined the current pandemic will no longer be looming over the horizon.

The same principle goes not just for the current pandemic, but for all future attempts at governmental regulation of fake news. It should be limited only to exceptional circumstances, such as wars and pandemics, to name a few. *Schenck* after all was born as a matter of wartime necessity.⁷⁶

However, that does not and should not change the fact that fake news offers no considerable value to the marketplace of ideas. While value judgments can fight it out for supremacy in the marketplace, fake news and established facts cannot. This is all the more true in times of great urgency. To believe otherwise would be to infuse the democratic underpinnings of the marketplace of ideas with established undemocratic practices.

-o0o-

⁷⁴ See Lynn Hasher, David Goldstein & Thomas Toppino, *Frequency and the Conference of Referential Validity*, 16 J. VERBAL LEARNING & VERBAL BEHAV. 107, 111-12 (1977); see also Norbert Schwarz et al., *Metacognitive Experience and the Intricacies of Setting People Straight: Implications for Debiasing and Public Information Campaigns*, 39 ADVANCES EXPERIMENTAL SOC. PSYCH. 127, 152 (2007).

⁷⁵ Rep. Act No. 11469 (2020), § 9.

⁷⁶ *Schenck*, 249 U.S. 47, 52. "When a nation is at war many things that might be said in time of peace are such a hindrance to its effort that their utterance will not be endured so long as men fight and that no Court could regard them as protected by any constitutional right."

**COLLEGE OF LAW
UNIVERSITY OF THE PHILIPPINES**

FACULTY

FIDES C. CORDERO-TAN, B.S., LL.B., *Dean*
JAY L. BATONGBACAL, B.A., LL.B., M.M.M., J.S.D., *Associate Dean*

PROFESSORS OF LAW

ELIZABETH H. AGUILING-PANGALANGAN, B.A., LL.B., LL.M.
DANTE B. GATMAYTAN, B.S., LL.B., M.S.E.L., LL.M.
RAUL C. PANGALANGAN, B.A., LL.B., LL.M., J.S.D. (*Secondment*)
PATRICIA ROSALIND P. SALVADOR-DAWAY, B.A., LL.B.

ASSOCIATE PROFESSORS OF LAW

VICTORIA A. AVENA, B.F.A., LL.B., LL.M.
EVELYN (LEO) D. BATTAD, B.S., B.A., LL.B., LL.M.
ROWENA E.V. DAROY-MORALES, B.A., LL.B.
JOSE JESUS M. DISINI, JR., B.S., LL.B., LL.M.
MA. GISELLA N. DIZON-REYES, B.A., LL.B., M.P.A.
VIRGILIO S. JACINTO, B.A., LL.B., LL.M.
HECTOR DANNY D. UY, B.A., LL.B., M.A.

ASSISTANT PROFESSORS OF LAW

EMERSON S. BAÑEZ, B.A., LL.B., LL.M.
ROMMEL J. CASIS, B.A., LL.B., LL.M.
SOLOMON F. LUMBA, B.S., LL.B.
RYAN P. OLIVA, B.A., J.D.
NICHOLAS FELIX L. TY, B.S., LL.B., LL.M.
EDGARDO CARLO L. VISTAN II, B.S., LL.B., LL.M.

LECTURERS & PROFESSORIAL LECTURERS

EDUARDO JUAN F. ABELLA, B.S., LL.B.
EDWIN R. ABELLA, B.S., LL.B., LL.M.
ZARDI MELITO D. ABELLERA, B.A., LL.B.
PACIFICO A. AGABIN, B.S.J., LL.B., LL.M., J.S.D.
OSWALDO D. AGCAOILI, B.S., LL.B.
LEANDRO ANGELO Y. AGUIRRE, B.S., J.D., LL.M.
RAMON QUINTIN CLAUDIO C. ALLADO, B.S., LL.B.
JOSEPH EMMANUEL L. ANGELES, B.S., LL.B., LL.M., Ph.D.
EMERSON B. AQUENDE, B.S., LL.B.
AUGUSTO JOSE Y. ARREZA, B.A., LL.B.
ARTHUR P. AUTEA, B.A., LL.B.
RAYMOND MARVIC C. BAGUILAT, B.A., J.D., LL.M.
HERMINIO C. BAGRO III, B.A., J.D., M.P.A.
RUBEN F. BALANE, B.A., LL.B.
LORYBETH BALDIAS-SERRANO, B.S., LL.B.
CARLOS G. BANIQUED, B.A., LL.B., LL.M.
LAI-LYNN ANGELICA B. BARCENAS, B.S., LL.B., M.A.
PETER DONNELLY A. BAROT, B.A., LL.B., LL.M.
CHRYSILLA CARISSA P. BAUTISTA, B.A., LL.B., LL.M.
ROSA MARIA J. BAUTISTA, A.A., LL.B., LL.M.
MARIA EMILYNDA JEDDAHLYN PIA V. BENOSA, B.A., J.D.
DARLENE MARIE B. BERBERABE, B.A., LL.B.
MARK R. BOCOBO, B.S., LL.B.
ROENT'GEN F. BRONCE, B.A., J.D.
PURISIMO S. BUYO, B.A., LL.B.
ALFREDO R. CABERA, LL.B.
MARISSA O. CABREROS, B.S., J.D., M.P.M.
BERNARDO D. CALDERON, A.B., LL.B.
DAN P. CALIGA, B.A., LL.B.
OTHELLO C. CARAG, B.A., B.S.B.A.A., LL.B., LL.M.
JAIME FORTUNATO A. CARINGAL, B.A., LL.B., LL.M.
SALVADOR T. CARLOTA, B.S., LL.B., LL.M.
ARNEL PACIANO D. CASANOVA, B.A., LL.B., M.A.
CELESTE RUTH L. CEMBRANO-MALLARI, B.A., LL.B., LL.M.
GERARD L. CHAN, B.S., LL.B., LL.M., M.B.A.
MA. GABRIELA R. CONCEPCION, B.A., LL.B.
ROMMEL V. CUISON, B.A., LL.B.
DEMETRIO C. CUSTODIO, JR., B.A., LL.B., M.B.A.
RHEY DAVID S. DAWAY, B.S., M.S., LL.B.
HECTOR M. DE LEON, JR., B.A., LL.B., LL.M.
SENEN AGUSTIN S. DE SANTOS, B.A., LL.B.
GABRIEL A. DEE, B.A., LL.B.
ARNOLD F. DE VERA, B.S., LL.B., LL.M.
GWEN B. GRECIA-DE VERA, B.A., LL.B., LL.M.
NILO T. DIVINA, B.A., LL.B.
ANZEN P. DY, B.A., LL.B.
VICTOR Y. ELEAZAR, B.A., LL.B., LL.M., M.P.A.
EDUARDO C. ESCAÑO, B.A., LL.B.
ELVIRA V. ESCUETA-DUAVIT, B.S., LL.B.
AISSA V. ENCARNACION, B.S., LL.B.
RAMON S. ESGUERRA, B.A., LL.B.

JACQUELINE JOYCE F. ESPENILLA, B.A., J.D., LL.M.
ERIC ROSAURO G. ESPIRITU, B.A., LL.B.
ALEX FERDINAND S. FIDER, B.A., LL.B., LL.M.
LUIS JOSE P. FERRER, B.S., LL.B.
ROBERTO L. FIGUEROA, B.A., LL.B., LL.M.
EMMA C. FRANCISCO, B.A., LL.B.
DONNA Z. GASCONIA, B.A., LL.B., LL.M.
MIA G. GENTUGAYA, B.A., LL.B.
RENO R. GONZALES, JR., B.A., LL.B.
RENE B. GOROSPE, B.A., LL.B.
JAMES DENNIS C. GUMPAL, B.S., LL.B., M.D., LL.M.
TERESITA J. HERBOSA, B.A., LL.B., M.C.L.
CONCEPCION L. JARDELEZA, B.A., LL.B.
ILDEFONSO R. JIMENEZ, B.S., LL.B.
MARK DENNIS Y.C. JOVEN, B.S., LL.B., LL.M.
ARMINA DIELE R. KAPUNAN, B.A., J.D.
ROSE MARIE M. KING-DOMINGUEZ, B.A., LL.B.
KESTERSON T. KUA, B.S., J.D.
ANTONIO G.M. LA VIÑA, B.A., LL.B., LL.M., J.S.D.
EDUARDO A. LABITAG, B.A., LL.B., LL.M.
CARINA C. LAFORTEZA, B.S., LL.B.
CHRISTOPHER JOHN P. LAO, B.A., J.D.
ARLENE G. LAPUZ-URETA, B.A., LL.B.
MA. TANYA KARINA A. LAT, B.S., LL.B., LL.M.
JOSE C. LAURETA, B.A., LL.B., LL.M.
JOSE M. LAYUG, JR., B.S., LL.B., LL.M.
MA. CAROLINA T. LEGARDA, B.A., LL.B.
LUISTO V. LIBAN, B.S., LL.B.
MA. THERESA G. LIBUNAO, B.A., LL.B.
ANNA THERESA L. LICAROS-LIM, B.A., J.D.
DANIEL D. LISING, B.S., M.S., M.D., J.D., LL.M.
GLENDA T. LITONG, B.A., LL.B., LL.M.
MARWIL N. LLASOS, B.A., M.A., LL.B., LL.M.
VICTORIA V. LOANZON, B.A., M.A., LL.B.
JOSE MARTIN A. LOON, B.A., J.D., LL.M.
JHOSEP Y. LOPEZ, B.A., LL.B.
JOHANNA ALERIA P. LORENZO, B.S., J.D., LL.M., J.S.D.
DINA D. LUCENARIO, B.A., LL.B.
MERLIN M. MAGALLONA, A.A., LL.B.
CATHERINE T. MANAHAN, B.A., LL.B.
DONNA PATRICIA C. MANLANGIT, B.A., M.A., J.D.
MONICA JOY M. MARCELO, B.A., J.D.
MA. SOLEDAD D. MAWIS, B.A., LL.B.
CRESENCIO T. MENESES I, B.S., LL.B., LL.M.
MA. GOLDA GIGI G. MIÑOZA, B.A., J.D.
MARTIN D. MIJARES, B.A., B.S., LL.B.
ALFREDO B. MOLO III, B.A., LL.B., LL.M.
RAFAEL A. MORALES, B.A., LL.B., LL.M.
SALVADOR II N. MOYA, B.S., LL.B., LL.M.
ALBERTO T. MUYOT, B.A., LL.B., LL.M.
CHRISTOPHER LOUIE D. OCAMPO, B.A., J.D., LL.M.

SANDRA MARIE G. OLASO-CORONEL, B.A., LL.B.
FROILYN D. PAGAYATAN, B.A., LL.B.
RENRE C. PALACIOS, B.S., LL.B., LL.M.
RENATO M. PAMBID, B.A., LL.B.
DIVINA GRACIA E. PEDRON, B.A., LL.B.
ANTONIO C. PIDO, B.S., LL.B.
MARIA CELIA H. POBLADOR, B.A., J.D., LL.M.
RONALD D. POLICARIO, B.S., LL.B.
PATRICIA ANN T. PRODIGALIDAD, B.S., LL.B., LL.M.
ELIZABETH R. PULUMBART, B.S., LL.B.
ROGELIO V. QUEVEDO, B.A., LL.B., LL.M., J.S.D.
GRACE P. QUEVEDO-PANAGSAGAN, B.A., LL.B.
MARIE CECILE R. QUINTOS, B.A., LL.B.
JHOEL P. RAQUEDAN, B.S., LL.B.
SALMA PIR T. RASUL, B.S., LL.B.
JANNET C. REGALADO, B.A., LL.B.
GILBERT RAYMUND T. REYES, B.S., LL.B.
ROCKY D.L. REYES, B.A., LL.B., LL.M.
RAFAEL DANILLO RANIL M. REYNANTE, A.B., LL.B.
CHARLTON JULES P. ROMERO, B.A., LL.B., M.B.A.
JOSEPHINE P. RIMA-SANTIAGO, B.S., LL.B., LL.M.
DENNIS S. SABADO, B.A., LL.B.
RODERICK R.C. SALAZAR III, B.A., LL.B.
SERAFIN U. SALVADOR, JR., B.A., LL.B., M.B.A.
TRANQUIL S. SALVADOR III, B.A., J.D.
JOSE S. SAMSON III, B.A., LL.B.
MICHELLE B. SAN BUENAVENTURA-DY, B.A., LL.B.
DIONNE MARIE M. SANCHEZ, B.S., LL.B.
ARNO V. SANIDAD, B.A., LL.B.
TEODULO G. SAN JUAN, JR., B.A., LL.B.
BERTRAND THEODOR L. SANTOS, B.A., LL.B.
NEIL SIMON S. SILVA, B.A., LL.B.
SIMONETTE E. SIBAL-PULIDO, B.A., LL.B.
FRANCIS V. SOBREVINAS, B.S., LL.B., LL.M.
RONALD O. SOLIS, B.S., LL.B.
PAOLO EMMANUEL S. TAMASE, B.S., J.D.
MARY ROSE S. TAN, B.A., LL.B., LL.M.
FINA BERNADETTE D. TANTUQUO, B.A., LL.B.
THEODORE O. TE, B.A., LL.B., LL.M.
MICHAEL T. TIJU, JR., B.A., J.D., LL.M.
CRISOSTOMO A. URIBE, B.A., LL.B.
FLORDELIZA C. VARGAS-TRINIDAD, B.A., LL.B.
RAUL T. VASQUEZ, B.A., LL.B.
SUSAN D. VILLANUEVA, B.A., LL.B., LL.M.
ERNESTINE CARMEN JO D. VILLAREAL-FERNANDO, B.A., LL.B.
DENNIS M. VILLA-IGNACIO, LL.B.
VIRGINIA B. VIRAY, B.S., LL.B., M.P.A.
RODOLFO R. WAGA, JR., B.A., LL.B.
ANTHONY CHARLEMAGNE C. YU, B.A., LL.B., LL.M.

