
*EXPLANATORY SYNTHESIS PAPER: THE 1987 CONSTITUTION OF THE
REPUBLIC OF THE PHILIPPINES- ARTICLE III Bill of Rights*

Section 3: No law shall be passed abridging the freedom of speech, of expression, or of the press, or the right of the people peaceably to assemble and petition the government for redress of grievances.

The freedom of the press is a constitutionally-guaranteed right and is enshrined in Section 4 Article III which explicitly provides that "No law shall be passed abridging the freedom of speech, of expression, or of the press, or the right of the people peaceably to assemble and petition the government for redress of grievances." This constitutional right is essentially a carry-over of similar provisions in earlier constitutions as the Constitutional Commission of 1987 deemed it necessary to preserve extant Philippine and American jurisprudence on this bill of right. A significant change though is the expansion of this right to include the phrase "of expression". According to Senator Ramon Bong Revilla Jr., Freedom of the press is guaranteed by a government of free public press for its citizens and their association, extended to members of news gathering organizations, and their published reporting. It also extended to news gathering and processes involved in obtaining information for public distribution. Freedom of press implies that all people should have the right to express themselves in writing or in any other way of expression of personal opinion or creativity. The Universal Declaration of Human Rights indicates: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media regardless of frontiers". Thus, the right to freely express one's thoughts is not without basis.

According to Kris Sarah M. Jeruta, the freedoms of expression and speech rank high in the scheme of constitutional values, as stated by the Court in *Diocese of Bacolod v. Commission on Elections*, G.R. No. 205728, Jan. 21, 2015. However, in *Chavez v. Gonzales*, G.R. No. 168338, Feb. 15, 2008, the Supreme Court explained that freedom of expression is not an absolute nor an unbridled license that gives immunity for every possible use of language and prevents the punishment of those who abuse this freedom. As such, certain types of speech such

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