

ANALYSIS OF PHILIPPINE CYBER LIBEL LAW

The Philippines currently has one of the [harshest online libel laws in the world](#). Unlike laws in Western countries that make libel a civil matter, in the Philippines it can be criminal. Not only that, but in the few other countries that have criminal libel, truth is almost always a valid defense. In the Philippines, truth is NOT a defense. This means that if you say something "*libelous*" about someone online which is true, you can still be convicted and jailed for a minimum of 7 years. You may wonder why any country would have a law that might appear unjust. The answer is complicated, but in general the Philippines has a fine legislature and a just judiciary, although it is quite overburdened and has to struggle to adjudicate its immense case load.

To be clear, as a foreign national blessed with the privilege to live in the Philippines, it is not my place to comment on their laws. However, corporations are fair game. And just like the USA, corporations, and their respective lobbies, have immense sway over the writing of any law that might affect them. In this respect, the Philippines works like almost any other democracy in the world – legislators represent all judicial persons (which is for the most part comprised of people and corporations). People and corporations sometimes have conflicting interests in the law, and this is just one example of that. Most people want to be able to go online and say the truth. Corporations often want to avoid criticism and would prefer to have that right curtailed. With this law, for better or worse, those corporations got the edge when it was written.

With this law in mind, I have to be very specific with regards to whom I criticize, and where I say it. Therefore, the following statement should make it quite clear to whom my negative comments are directed.

All negative statements are aimed at a Japanese corporation, SUBARU, and Japanese executives of that corporation. If any Filipino person or corporation feels that a negative statement may be interpreted as directed at them, I am happy to review the statement and remove it if necessary. This statement is not being made because it is dangerous to criticize a Philippine corporation online. It is because over the past several years, it has become very clear that no Philippine corporation or person is responsible for the warranties that I so often criticize. Also, since any actions by Philippine corporations against me have been clearly orchestrated by Subaru of Japan, I have no dispute with any Philippine person or corporation. If a legal filing appears to contradict that statement, it is only because that is how the law, and therefore lawsuits, work (you can't file a lawsuit against Subaru in the Philippines).