

JGL Eye Column

By JOSEPH G. LARIOS

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{xtypo_quote} Justice delayed is justice denied. – Legal maxim
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C HICAGO (*jGLi*) – The Maguindanao Massacre happened two years ago on Nov. 23 but apparently the wheels of justice are grinding soooo slowly – nobody has been convicted from the world's biggest mass murder of journalists in a single event.

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Meanwhile survivors of 58 massacred victims, 32 of them Filipino media workers, are trying to follow the court case in Manila while they are trying to make both ends meet, including taking care of day-to-day business of their orphaned children in far-off Mindanao.

Private institutions, mostly media organizations, and the government of former President Gloria Macapagal Arroyo tried to contribute some money and in kind to the survivors as knee jerk reactions as consolation but the contributions are never enough.

In our small way, some press organizations in the United States, like the Committee to Protect Journalists based in New York; the NPC-Phil.-U.S.A., which I used to head, the Chicago Journalists Association headed by Allen Rafalson; the Filipino Press Group of Sydney represented by Jaime K. Pimentel; and the Philippine Press Club of Ontario represented by Tenny Soriano, tried to chip in with their contributions but the contributions are never enough.

Even non-media groups, the Philippine Medical Association of Chicago (PMAC) and Auxiliary Medical Foundation (PAMF) upon representations of former PMAC President, Dr. Nunilo Rubio and his wife, Dr. Elenita Rubio, former PAMF president, got in the act by suggesting to former PMAC President Dr. Roger Cave and PMAC outgoing and income Presidents, Dr.

Emma Salazar and Dr. Ed Hernaez, to give exception to its scholarship program by granting Ms. Julia Mae Reblando an annual \$500 scholarship until she completes her journalism degree in the Philippines.

MS. REBLANDO TO GET SCHOLARSHIP WHEN SHE ENROLLS IN COLLEGE

It was Veronica Leighton and Joe Mauricio owners of *Via Times* and CPR-TV, who broached the idea to the Rubios, who was encouraged by another *Via Times* columnist Elsie O. Sy-Niebar to help out.

Dr. Gerardo Guzman, Secretary of PMACAMF, told me that the board has approved Miss Reblando's scholarship, which is usually bestowed on two to four scholars from Chicago area every year. Miss Reblando was met by the Rubios, while she was in Chicago accompanied by her widowed mother, Myrna P. Reblando, to receive a one-time \$1,000 scholarship from CJA.

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Ms. Reblando, who will be eligible to receive her PMAC/PAMF scholarships when she enrolls in her college program next year, is the youngest daughter of Alejandro "Bong" Reblando, staff member of *Manila Bulletin* and area correspondent for some international wire services organization, one of the 32 journalists, who were brutally shot and killed and hastily buried in a mass grave so nobody could live to tell the story of the massacre.

Bong, who was a personal friend of mine, was shot at close range with a shotgun.

Bong's survivors got 300,000 pesos (US\$7,000.00) from the insurance policy of the National Press Club of the Philippines under President Benny Antiporda. If Manila Bulletin bought Bong primary insurance, Bong's survivors could have gotten bigger. Bigger still if Bong bought life insurance for himself.

Gov. Rolando E. Yebes of Zamboanga del Norte, who was in town last Saturday (Nov. 13), assured me he will suggest to his friend and neighbor, Sarangani Congressman Manny Pacquiao, to extend his philanthropic endeavors to help financially the survivors of the Maguindanao massacre. After all, when Mr. Pacquiao was based in General Santos City, most of those massacred journalists were promoting him by writing flattering stories about his exploits, especially during his numerous homecomings as a

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conquering boxing hero. Attorney Yebes, who is in his last term, will soon be joining Mr. Pacquiao in the House of Representatives if he wins as congressman in the 3rd district of Zamboanga del Norte in the 2013 local elections.

PACQUIAO'S FOUNDATION MAY BUY INSURANCE PREMIUMS FOR JOURNALISTS

I would suggest Mr. Pacquiao use his foundation to buy insurance premiums for journalists covering the danger zones not only in Mindanao but also all over the Philippines. If he wants to insure the safety of Filipino journalists, who might cover him when he runs for national office.

Rep. Cesar G. Jalosjos of the 3rd District of Zamboanga del Norte, who was also in Chicago last Saturday (Nov. 13), told me he is hopeful that the trial of the suspects in the massacre will soon be over so "that survivors will be able to collect civil damages due them."

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But my friend, former Senator Aquilino “Nene” Pimentel, sent me an email message Nov. 16, damping the enthusiasm of Congressman Jalosjos, who will be running for governor for the province of Zamboanga del Norte in 2013 elections.

Mr. Pimentel said, “[U]p to this writing, no verdict has yet been rendered [in the Maguindanao massacre case]. And under the circumstances, unless a miracle happens, none may be expected in the next year or two.”

A brilliant lawyer, Mr. Pimentel said, “As of last week, the prosecution and the defense panels were reportedly squabbling over the number of days every week that should be set aside for the trial of the case.

“The trial judge had apparently set two days a week for the hearing of the case.

“A member of the defense panel is said to have suggested that one more day should be added to the two-day-a-week trial dates.

“Surprisingly, a prosecutor reportedly retorted that another day would be unacceptable because she had other cases to attend to. Surprisingly because usually in the practice of law, it is the defense – especially if they have no defense at all – that would use all dilatory tactics to postpone and postpone and postpone the trial of cases until doomsday.

“By doing so, it is hoped that their clients would get acquitted simply by wearing out the complainants, their witnesses and the prosecution.”

PIMENTEL SUGGESTS TRIAL SETTING MANDATORY, NOT DIRECTORY

But instead of the prosecutors insuring the “speedy justice that the Bill of Rights of the Constitutions guarantees to litigants, especially, in criminal cases, [it] is being cast aside for the comfort and convenience of the legal panels.”

He said this is “sad. Because it is certain that deep down in their heart of hearts, both the offended parties and their heirs and the accused and their families desire a rapid closure to this case.

“On the part of the complainants, they want the accused to be convicted, and, on the part of the latter, they would want nothing better than their acquittal sooner than later.”

Mr. Pimentel is suggesting that there should be “revision of the Rules of Court by making the time limits set for trials and hearings of cases mandatory rather than directory.”

He added, making “dilatory tactics in court hearings [should be] grounds for disbarment of lawyers. And the parties may, perhaps, be granted the right to freely ask for deferments of trials on cogently reasonable grounds for no more than two occasions. After which, the cases should be tried with or without the presence of the parties and/or their counsel.”

Some 196 people, including the masterminds, former Maguindanao Gov.

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Andal Ampatuan, Sr., his son, Datu Unsay Mayor Andal Ampatuan, Jr.; his brother Autonomous Region in Muslim Mindanao (ARMM) Gov. Zaldy Ampatuan, who were allies of former President Arroyo, have been charged with multiple murder for the killing of 58 people in the worst election-related killing in the country's history.

I want to find out from Mr. Pimentel if Maj. Gen. Alfredo Cayton, who commanded the 6th Infantry Brigade based in Maguindanao at the time of the massacre, was ever implicated as accomplice in the massacre under command responsibility for failure to provide security escorts to the victims, who made a request for such escort, and for failure to gather intelligence of the event prior to the massacre even while news of the victims going to file their election candidacies was widely reported in the local mass media. # # #

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