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**Blogger’s Freedom of Expression and**

**the Libel Law**

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| **STUDENT TASKS** | | | |
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**Answer the following questions:**

1. Define the following terminologies:
2. CyberLibel

- Cyberlibel refers to defamation that is committed through the use of digital platforms, such as social media, websites, or any online communication. It involves publishing or broadcasting false statements about an individual that harm their reputation, and the act is considered a crime under the Cybercrime Prevention Act of 2012 in the Philippines.

1. Defamation

- Defamation is the act of communicating false information that harms the reputation of an individual, group, or entity. It can be spoken (slander) or written (libel). Defamation includes false statements presented as facts that negatively affect how a person is perceived by others.

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1. Absolute Privileged Communication

- Absolute privileged communication refers to certain communications that are immune from defamation lawsuits, even if the statements are false or damaging. This privilege is typically granted in specific situations, such as legislative debates, judicial proceedings, or official acts of government, where freedom of speech is protected to allow for open discussion without the risk of legal consequences.

1. What is the right of freedom of expression and its limitation?

- Freedom of expression is the right of individuals to hold opinions and to express themselves without government interference or censorship. This right is guaranteed by many constitutions, including the Philippine Constitution. However, it is not an absolute right. Limitations are imposed when the expression infringes on the rights of others, such as in cases of defamation, incitement to violence, hate speech, or when it threatens public safety or national security. Laws like those governing libel or slander restrict freedom of expression when it crosses into illegal or harmful territory.

1. Is there any subsequent punishment allowed to a person who has abused his right to free expression? Why or why not?

- Yes, subsequent punishment is allowed if a person abuses their right to free expression, especially when that expression violates the law. For instance, if someone commits defamation, cyberlibel, or incites violence through their speech, they can be held legally accountable. The right to free expression is not unlimited, and when it results in harm to others or society, legal actions such as fines, imprisonment, or other penalties can be imposed as a form of punishment to maintain public order and protect individual rights.

1. When is a person liable for a crime of CyberLibel?

- A person is liable for cyberlibel when they publish or broadcast false statements about another person through digital platforms that harm that person's reputation. The statement must be proven to be false, malicious, and defamatory, and it must be communicated to a third party. The Cybercrime Prevention Act of 2012 specifically addresses cyberlibel, and the penalties for this crime can include fines and imprisonment, depending on the severity of the offense.

1. What is the difference between defamation and libel in the Philippines?

* In the Philippines, defamation is a broader term that covers both spoken and written false statements that harm another person's reputation. It is divided into two forms: **slander**, which refers to spoken defamation, and **libel**, which refers to written or published defamation. Libel, specifically, is governed by the **Revised Penal Code** and the **Cybercrime Prevention Act of 2012** if the defamatory act occurs online. The key difference is that **libel** must be in a written or permanent form, while **slander** is spoken or transitory.

References:

* Cybercrime Prevention Act of 2012: https://lawphil.net/statutes/repacts/ra2012/ra\_10175\_2012.html
* Revised Penal Code of the Philippines: https://lawphil.net/statutes/acts/act\_3815\_1930.html
* Philippine Constitution: https://lawphil.net/consti/cons1987.html