

The pragmatics behind defamatory discourse: probing speech acts, presupposition, implicature, and felicity conditions in the decided Philippine libel cases

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Abstract: Libel cases primarily revolve around how one entity or individual employs language in manners that are alleged to damage the reputation of another party. This study, under forensic linguistics, aimed to unravel the pragmatic features in the decided libel cases in the Philippines. The results revealed that the illocutionary forces employed in the cases involved the use of rhetorical device, discourse framing, insult, innuendo, narrative style, negative prominence, ad hominem, accusation, conveyed meaning, appeal to authority, fighting words, and sarcasm. Additionally, the use of presuppositions, implicatures, and adherence to felicity conditions played a substantial role in the communication of defamatory expressions. It is fundamental to recognize that while linguistic elements can heighten the effect of defamatory expressions, defamation is not solely contingent on linguistic facets alone. To lawfully categorize a text as defamatory, it must fulfill the bars set forth by the law, which requires evidence of the offender's intent to damage the target and an unequivocal understanding of the message as defamatory.

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INTRODUCTION

Libel cases present intricate challenges, including disseminating false statements that tarnish one's reputation, compounded by legal complexities and inconsistencies. Notably, linguist Tiersma (1987) argues that defamation must consider not only its impact on receivers but also the sender's intent in language use. This dual perspective adds to the intricacy of libel cases, often confounding legal professionals and the general public alike. Consequently, a lack of comprehension regarding libelous language nuances has led to a troubling increase in unintentional libel incidents, exacerbated by the ubiquity of social media. To address this pressing issue, leveraging pragmatic analysis becomes essential for understanding the subtleties of libelous language, thereby preventing inadvertent libel cases and promoting responsible communication.

In the international sphere, the issuance of defamation claims in the London Queen's Bench Division of the High Court witnessed a significant surge of 70% in 2018, and more than 30 defamation judgments were recorded in England in 2019. Notably, implementing the Defamation Act 2013 led to a notable increase of 60% in defamation claims issued in the QBD in London compared to the pre-2014 period. In 2017, it appeared that the act favored defendants more than claimants, as defamation claims increased by 39% compared to 2016. Robinson (2010) reported a 15% rise in high court defamation writs in London within a year, attributed to the proliferation of online information. In 2009, Reynolds Porter Chamberlain, a corporate and insurance law firm headquartered in London, disclosed the issuance of 298 high court defamation writs, of which 50% comprised libel claims. While written defamation or libel may not cause physical harm, it significantly damages reputations and involves substantial financial costs.

On the other hand, the Department of Justice in the Philippines is grappling with an upsurge in reported cyber-libel cases due to the proliferation of online platforms and the implementing of the Cybercrime Law. Records from the DOJ-Office of Cybercrime for 2022 showed 3,770 were filed (Buan, 2022). In 2017, as highlighted by San Juan (2018), a substantial total of 127 cyber-libel cases were filed. However, 38 cases were ultimately dismissed due to a lack of compelling evidence. This surge represents a nearly 274 percent increase compared to the 34 cyber-libel cases recorded in 2016. Similarly, in 2015, there were 80 recorded cyber-libel cases, with 31 eventually dismissed. Furthermore, the prominent 2020 conviction of Reynaldo Santos Jr., Maria Angelita Ressa, and Rappler, Inc. by the Manila Regional Trial Court in the Philippines has sparked widespread discussions on libel, and it is still on appeal in 2023 as

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reported by Aljazeera in September. Their defamatory message incorporated the use of accusation, which Shuy (2010) defines as a language indicator of aroused emotion in the communication of malicious language.

Tiersma (1987), who was both a law professor and a linguist, attracted the attention of legal professionals to a significant issue, stating that while many significant problems that lawyers and judges handle are linguistics, their approaches to these problems usually overlook linguistic learning that helps evaluate legal evidence in libel cases (Conley, 2015; Shuy, 2010). Undoubtedly, it is in this light that linguists' works have been of help not only for lawyers to see libel from a linguistic point of view but also to Filipino people, in general, where they are being informed whether or not the pragmatic features they incorporate in their written discourses are defamatory. Furthermore, the research informs people about libel's linguistic makeup and provides concrete data to utilize as a model, improve upon, or challenge.

The limited research focusing on linguistic analysis in libel cases, particularly within the Philippine context, emphasizes the urgency of this study. This is especially relevant given that most articles in the Philippines predominantly concentrate on legal stipulations rather than utilizing linguistic analysis to understand defamation. Recognizing the significant contributions of defamation analysts like Nieto (2020) and Shuy (2010), this study takes a holistic approach to pragmatic analysis. Hence, this study aimed to study the pragmatic elements of libel with a specific focus on speech acts, felicity conditions, implicatures, and presuppositions. In addition, it is important to note that the urgency of this study is further accentuated by Lee's (2012) observation that many traditional discussions on libel within the realm of law and legal studies predominantly revolve around scrutinizing language usage.

METHOD

This study falls within the field of forensic linguistics. It is not a comprehensive exploration of defamation law but highlights how linguistics can assist lawyers in resolving conflicts within a specific legal context—libel cases. The analytical approach employed here is rooted in pragmatic analysis, with a particular focus on four key linguistic elements: speech acts, felicity conditions (Searle, 1969), implicature (Grice, 1975), and presupposition (Stalnaker, 1975). Through these linguistic lenses, the study sought to enhance our understanding of libel cases and contribute valuable perspectives to the legal discourse surrounding defamation.

In defamation research, speech acts assume a critical role due to their capacity to unveil the intentions that underlie verbal expressions (Searle, 1969). Within defamatory discourse, speech acts often take the form of illocutionary acts, which encompass accusations, insinuating negative information, or asserting falsehoods. This investigation into the illocutionary force of a statement facilitates a deeper comprehension of the speaker's motive—whether it revolves around tarnishing an individual's reputation, expressing a personal viewpoint, or presenting purported facts.

Felicity conditions, as outlined by Searle (1969) and vital in defamation analysis, consist of four core elements that determine whether a statement can be deemed defamatory. Firstly, the preparatory condition is met when a statement is intentionally made to harm someone's reputation, emphasizing the deliberate nature of such acts. Secondly, the propositional content requires that a statement contains defamatory material, such as false accusations or damaging insinuations, extending beyond the mere words spoken. Thirdly, the sincerity condition hinges on the speaker genuinely believing in the harmful nature of their statement, including insincere or knowingly false statements that aim to harm reputation. Lastly, the essential condition demands that the statement results in actual harm to the target's reputation, underlining the real-world consequences of defamation. Together, these conditions form a comprehensive framework for assessing whether a statement qualifies as defamatory, facilitating a thorough analysis of defamation cases and aiding both researchers and legal professionals.

Shifting focus to implicature, a concept elucidated by Grice (1975), it emerges as a noteworthy element in defamation analysis. Implicature revolves around exploring what remains implied but unarticulated within a statement. Defamatory language often relies on implicatures to convey negative information indirectly. Consequently, examining implicatures provides valuable insights into deciphering concealed meanings or insinuations inherent in defamatory discourse. This aids in unraveling the intended harm or damage concealed beneath the surface of language.

Finally, presupposition, as Stalnaker (1975) outlined, assumes a foundational role in defamation analysis. Presuppositions unveil the assumed background information shared between the speaker and the audience, which is crucial for grasping the context of defamatory language. These presuppositions may involve the assumption that the audience possesses prior awareness of certain facts or events pertinent to the defamatory statement. Scrutinizing presuppositions becomes instrumental in unraveling the intricate web of context and underlying assumptions embedded in defamatory language.

Research Material

The study includes 30 libel cases from different courts in the Philippines, such as Regional Trial Courts, the Court of Appeals, and the Supreme Court. These cases were not directly taken from the courts but were collected from online legal sources like Chan Robles' Virtual Library and LawPhil. These online platforms are commonly used by law students and researchers. All the cases were already decided as libelous, either by the Supreme Court or lower courts. Some cases from Regional Trial Courts were appealed and decided by the Court of Appeals, while a few reached the Supreme Court for a final decision. The study does not categorize these libel cases by specific fields but considers them from various sectors. It analyzes defamatory statements as complete texts, not just individual words or phrases. Importantly, the study does not involve legal analysis to determine the accuracy of these libel declarations.

RESULTS AND DISCUSSION

The pragmatic analysis of libelous texts in Philippine libel cases revealed several key features contributing to defamation. In speech acts, the illocutionary forces involved rhetorical device, discourse framing, insult, innuendo, narrative style, negative prominence, ad hominem, accusation, conveyed meaning, appeal to authority, fighting words, and sarcasm. On the other hand, the use of presuppositions, implicatures, and adherence to felicity conditions further contributed to defamatory communication. These aspects are discussed comprehensively below.

Rhetorical Device. A rhetorical device is a persuasive linguistic technique used to convey ideas effectively. In defamation cases, these devices, such as metaphor, exaggeration, and vivid imagery, simplify allegations, intensify their impact, and create emotionally charged narratives, making the accusations memorable and contributing to their harmful nature. Metaphors can emphasize specific aspects while downplaying others, potentially perpetuating disparities (Charteris-Black, 2004; Van Dijk, 1993), and exaggeration serves to highlight points, often carrying a hint of malice (Shuy, 2010). Collectively, in defamation cases, these rhetorical tools, including vivid imagery, heighten the damage caused by the statements. They are observed in the libel case 1 below:

“On the surface of the globe some were born to eat and devour others to be eaten and devoured.

Amongst men it is very easy to observe the development of this daily phenomenon. And for some psychological reason the nations who believe themselves powerful have taken the fiercest and most harmful creatures as emblems; it is either the lion, or the eagle, or the serpent.

The eagle, symbolizing liberty and strength, is the bird that has found the most adepts. And men, collectively and individually, have desired to copy and imitate the most rapacious bird in order to triumph in the plundering of their fellow-men.

Ascending the mountains of Benguet to classify and measure the skulls of the Igorots and study and civilize them, and to espy in his flight, with the eye of the bird of prey, where are the large deposit of gold, the prey concealed amidst the lonely mountains, to appropriate them to himself afterwards, thanks to legal facilities made and unmade at will, but always for his own benefit. Authorizing, despite laws and ordinances, an illegal slaughtering of diseased cattle in order to derive benefit from the infected and putrid meat which he himself was obliged to condemn by virtue for his official position.”

The power of language is wielded through these rhetorical devices to create a highly damaging narrative. The central metaphor, portraying the plaintiff as a "Bird of Prey," is the linchpin of the defamation. This metaphor simplifies complex allegations by labeling the plaintiff as a predator who exploits their position for personal gain. It casts the plaintiff as ruthless, preying on helpless citizens. This vivid imagery leaves a lasting impression, intensifying the defamation. Exaggeration plays a pivotal role in magnifying the severity of the accusations. Phrases like "ascending the mountains of Benguet" paint a

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picture of audacious and grandiose misconduct. The exaggeration implies that the plaintiff's actions are not merely unethical but reach extraordinary levels of misconduct. This amplification further tarnishes the plaintiff's reputation. The use of vivid imagery throughout the message creates a dramatic narrative. Descriptions such as "plundering fellow-men" and "illegal slaughtering of diseased cattle" evoke vivid mental images of highly unethical behavior. These descriptions make the allegations memorable and emotionally charged, ensuring that the negative portrayal lingers in the reader's mind. In essence, these dominating rhetorical devices collaborate to simplify complex allegations, amplify the perceived severity of the plaintiff's misconduct, and craft a dramatic, emotionally charged narrative. Together, they significantly contribute to the defamatory nature of the message in the libel case "Birds of Prey."

Discourse Framing. This pertains to the strategic use of language to shape how an issue or topic is perceived, influencing individuals to interpret information in a predetermined manner (Shuy, 2010), and this may be accomplished through the title of an article and the text itself. The title of an article may lead readers to infer the possible association found in the title to the person being defamed in the article. In libel case 2, the pamphlet titled "Who is the 'Doctor of Graft' Squandering the Gasoline Funds?" employs framing techniques to lead readers to a predetermined conclusion. The pamphlets influence readers to prematurely conclude that they contain information about corruption, specifically the misappropriation of gasoline funds. This framing is exemplified by a paragraph within the pamphlet that makes libelous accusations against Mr. F.P., insinuating his involvement in dubious contracts and suggesting corruption without concrete evidence. Essentially, the pamphlet shapes readers' perceptions by encouraging negative assumptions about the individuals mentioned without providing balanced or impartial information. Below is the excerpt:

“That said F.P being the officer called upon by law ..., must have entered in doubtful and shady contracts or deals which enabled him to make a cash deposit of P24,000 in his bank account...”

Further, the use of rhetorical questions in the article's title in libel case 3, such as "Malinis ba talaga o naglilinis-linisan lang (Is he really clean or just pretending to be clean)?" and "Sino si Finance Sec. J.A? (Who is Finance Sec. J.A?)," does indicate discourse framing. These questions are used to assert and emphasize the article's points emphatically. The framing technique here prompts readers to question the integrity of the plaintiff and the former Finance Secretary and to consider the possibility of deceit or unethical behavior without presenting a neutral or balanced perspective.

In addition, in libel case 4, the headline "Local Shabu Peddler Now a Millionaire" strategically employs discourse framing by shaping how readers perceive a middle-aged woman accused of selling shabu. This headline frames her as a significant figure in the illegal drug trade, emphasizing her alleged involvement and suggesting financial gains, which influences readers to interpret the information with a predetermined perspective. This form of framing not only conveys the accusation but also shapes the reader's perception of the subject, potentially causing harm to her reputation by highlighting her alleged illegal activities and financial success. Below is the excerpt.

“Roxas City – A middle-aged woman here has joined the ranks of millionaires after several years of selling shabu in the island of Panay”.

Insult. Culpeper (2016) connects impoliteness and physical violence to the historical definition of "insult" as physical attacks, emphasizing the strong link between impolite behavior and violence. Shuy (2010) traces the severity of insults to primitive times when they often led to violence, differentiating them from accusations that can result in duels. Defamation, on the other hand, seeks compensation for alleged false accusations that harm reputation. Insults typically stem from provocative language and intersect with the concept of "fighting words." This is shown in the excerpt below:

“Atty.:

This has reference to your lousy but inutile threatening letter

Dated August 18, 1995, addressed to our client; using carabao English.

...

You may proceed then with your stupidity and suffer the full consequence of the law...

..."

In libel case 5, the defendant describes the complainant's letter as "lousy but inutile threatening," suggesting that the letter is of poor quality and ineffective. Additionally, the defendant accuses the complainant of using "carabao English," implying that the complainant's writing skills are subpar or unrefined. The term "stupidity" suggests a lack of intelligence or good judgment on the complainant's part. These negative assertions, personalized to target the complainant, aim to damage his reputation, particularly regarding his lawyer abilities and writing skills. Therefore, the defendant employs personalized negative assertions as a pragmatic strategy to convey defamation by portraying the complainant negatively.

Furthermore, libel case 6 also manifested personalized negative to defame someone as demonstrated in the following lines:

"Some leeches like certain Mr. ..., our sources say, are lording it over like the city's sprawling vegetable and meat complex..." The term "leech" implies that the plaintiff seeks personal gain at the expense of others, akin to a parasite.

"This man, the sources add, is backed by powerful city government hooligans who, it was reported, have a direct hand in the planned manipulation in the distribution of stalls to privileged applicants." The use of "hooligans" suggests that the plaintiff is associated with a group of government officials engaging in violent and unlawful activities, further tarnishing his reputation.

"Mr..., apparently a non-Visayan pseudobully flaunting with his tag as president of a vendor's federation, has intimidated a good number of lowly hawkers..." The term "pseudo-bully" implies that the plaintiff imitates aggressive behavior, which is considered negative and undesirable.

"Our reports have finely outlined the mechanics of R's tactics despite assertions the man is nothing but a paper tiger conveniently propped up by federation members loyal to his sometime indecent role as a sachem." The term "paper tiger" suggests that the plaintiff pretends to be strong and dangerous but lacks substance, revealing his true weakness and ineffectiveness.

"One of the likely victims in this filthy machination are the sinapo vendors who have become explosively furious over the snafu they are facing because of the manipulation of stalls inside Bangkerohan." - The use of "filthy machination" and "manipulation" emphasizes illegal activities conducted by the plaintiff and his associates, suggesting deceitful and fraudulent methods to achieve their malicious and unlawful objectives.

Innuendo. Shuy (2010) elucidates that innuendo's potential for defamation hinges on the reader's possession of preexisting knowledge or contextual information that connects to the implied meaning within the statement. Durant (2013) explains that innuendos are "derived from expressions which are not defamatory at face value, but which nevertheless carry discreditable implications to those with specialized, rather than generalized knowledge." This is realized in the excerpt of libel case 7 below:

"MY DEAR MISS...

Allow me to take the cudgel in responding your well-written and threatening letter... because I am an integral member of the family of the man you alleged to have smeared your profession and your degree of Master of Arts, major in English. . . . How proud you are to announce to everybody that you have said degree and yet how ignorant you are even of the simple term "libel". Libel... You don't know the very word, libel, and yet you have the nerve to frighten my brother-in-law of its

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consequences-of the great fine and the long imprisonment!... You should have had consulted a lawyer... I intended to return to my job this Sunday but I am postponing said trip in order to hear for myself the case I encourage you to bring to court at your earliest convenience. However, before bringing it to court, may I advise you to change the word naga-business to naga prostitute; otherwise you will become a laughing stock in court. You know, the most appropriate English term for "pom-pom" is prostitute...“

Here, innuendo is evident through indirect insinuation rather than explicit accusations. The writer suggests changing the word "naga-business" to "naga prostitute," which carries a negative connotation. This indirect alteration implies the recipient's involvement in prostitution without making an overt statement, relying on readers to connect the word change with the negative implication. This technique can be viewed as character assassination or defamation as it insinuates something negative without stating it outright.

In the same vein, libel case 8 is replete with innuendo, as shown in the letter below:

[First Letter]

“IROCIN, ...

The Provincial Treasurer, Sorsogon.

SIR:

In the municipal funds of this pueblo exists a shortage of P1,996 as marked receipts from the year 1908 to 1909, for six quarters, paid by the licensee, Mr. Roman Fortes...

The council at that time set down in its annual report for 1910 the sum mentioned, but it is not in the safe...

The largest sum embezzled is the market fund. We hope that you will do justice...”

[Second Letter]

“IROCIN, SORSOGON

The Provincial Treasurer, Sorsogon.

The undersigned hereby appeals to you and represents:

That... impelled by an eager desire that the criminal acts heretofore enshrouded in mystery...

That...by reason of the same complaint, you sent to this municipality a deputy of yours to investigate the truth of the facts denounced.... he feels compelled to write this letter for the purpose of corroborating the following facts:

- a) That in the years ... Mr..., a resident of this municipality of Irocin was the licensee of the market of said municipality...

- (b) That Mr..., also a resident of Irocin in the years 1909 and 1910 was the licensee of the slaughter-yard of this said municipality...”

In this case, innuendo is skillfully employed to convey defamatory implications without making direct accusations. The defendant strategically uses indirect language and insinuations to imply wrongdoing by the municipal treasurer of Irocin. They claim a shortage of funds and suggest that the treasurer failed to issue receipts, implying potential embezzlement or financial misconduct. The mention of the council's annual report and its absence from the safe insinuates a cover-up of missing funds, hinting at a conspiracy to conceal financial impropriety. Furthermore, in the second letter, the defendant accuses the municipal treasurer of being a perpetrator or accomplice in these acts without explicitly stating it, creating an innuendo of criminal involvement. This artful use of innuendo contributes to the defamatory message by casting suspicion on the treasurer's integrity, leaving readers to infer potential wrongdoing without overt allegations.

Also, in libel case 9, the accused subjected the Mayor of Cadiz City to public ridicule, contempt, and hatred by displaying billboards or signboards at the fence of Cadiz Hotel with the following content:

“CADIZ FOREVER
_____ NEVER”

The defendant employs innuendo in the billboards by initially displaying "CADIZ FOREVER" above "_____ NEVER" and later adding the derogatory nickname "BADING" and the name of another city, "SAGAY," before "NEVER." This subtle use of innuendo aims to indirectly damage the mayor's reputation by suggesting wrongdoing without making explicit accusations. It relies on linguistic cues, tone, and context to insinuate harm through seemingly innocuous words, making innuendo a complex aspect of defamation cases where the form of communication and potential harm are central considerations.

Narrative Style. In defamation cases, narratives are frequently employed to connect past statements or actions to the present, shaping public perception of an individual's character and reputation (Bamberg, 2011). These narratives are pivotal in understanding the potential harm caused by defamatory statements. The use of so is observed in the libel case 10 in an article titled “Corruption in Asia” below:

“The problem of Manila's mayor, Mr. ... is a case in point. When it was discovered last year that the mayor's coffers contained far more pesos than seemed reasonable in the light of his income, an investigation was launched. Witnesses who had helped him out under curious circumstance were asked to explain in court.”

The pragmatic event involves narrating and describing events pertaining to the mayor's finances and the subsequent investigation. Its primary function is to inform the reader about the circumstances surrounding the mayor, including the discovery of an unusually large sum of money in his possession relative to his known income, which raises questions. While the text refrains from making direct accusations of wrongdoing, it subtly implies potential impropriety by highlighting this financial irregularity. By presenting the events without explicit accusations, the text engages the reader's critical thinking, encourages interpretation, and allows readers to draw their conclusions about the situation, thereby serving as a factual account while allowing for individual judgment. The use of narration to present a compelling and factual account of the allegedly defamatory statements, providing evidence and context to support their claim of harm to their reputation.

In addition, libel case 11 is also replete with narrative style. The text is shown below:

“The Commission on Elections disqualified HGV as Lakas-NUCD candidate for mayor of Bais City for having been convicted in three administrative cases for grave abuse of authority and harassment in 1987, while he was the officer-in-charge of the mayor’s office in the city.

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The Comelec upheld the recommendation of the Comelec office in Bais City, stressing that V's conviction in the administrative cases barred him from seeking any elective office.

... those who are disqualified from running for any elective position are "those removed from office as a result of an administrative case."

V was appointed Bais City OIC... on... 1986...

Sometime in May 1987, the ministry found V "guilty as charged" and ordered him removed from his position...

In the same month, FGV was appointed OIC Mayor to replace HGVillanueva who had been removed from office."

By presenting the accusations and events in a detailed, chronological manner, the writer aims to create an objective and factual appearance. This presentation includes historical facts, such as the plaintiff's disqualification by the Commission on Elections (Comelec) and their conviction in administrative cases for "grave abuse of authority and harassment" in 1987. These historical references serve as concrete evidence that supports the accusations and casts doubt on the plaintiff's actions and integrity. Furthermore, the narrative style establishes an emotional connection with readers by referencing the plaintiff's disqualification and replacement as the officer-in-charge (OIC) Mayor in 1986. This emotional engagement can evoke negative feelings in readers, enhancing the impact of the defamation. The overall effect is a defamatory message that challenges the plaintiff's reputation, credibility, and suitability for public office while maintaining objectivity and credibility.

Negative Prominence. This refers to the intentional focus placed on significant negative comments within a text. This emphasis is typically achieved through repetitive presentation, aiming to underscore and cast a critical or disparaging spotlight on a specific subject or aspect. Doing so affects the overall tone and perception of the content, as discussed by Shuy (2010). This concept can be illustrated in libel case 12 below:

"Often, Mr. ... strolls the stretches which criss-cross the Bankerohan confines with the arrogance of a tribal chieftain...Our reports have finely outlined the mechanics of Rivera's tactics despite assertions the man is nothing but a paper tiger ...

Insiders continuously tell of woeful tales about how they have been given runarounds by many so-called public servants, but they have maintained their composesures quite curiously.

Even politicians are oddly silent about the whole controversy for unknown reasons. It looks like the alleged schemes perpetrated by Mr. ... and his partners will remain unperturbed, no thanks to power brokers."

In the provided passage, linguistic elements are strategically employed to create negative prominence and emphasize critical or skeptical tones. For instance, vivid language depicts Mr. ...'s behavior with the word "arrogance" and comparisons to a "tribal chieftain." The phrase "nothing but a paper tiger" employs negative prominence by dismissing the credibility of Rivera in strong terms. The term "woeful tales" emphasizes negative experiences, and the use of "so-called public servants" implies skepticism. The phrases "oddly silent" and "unknown reasons" highlight the unusual nature of politicians' silence, while the mention of "alleged schemes" and "power brokers" suggests negative implications. These linguistic choices collectively contribute to a critical and negative portrayal of the text.

Furthermore, libel case 13 also showed so as seen in the text below:

“We have received reports that Atty. B and his group are plotting the assassination of Mr. ABS, now frontrunner in the Makati mayoralty race.

-On December 14, 1987, Atty. B and Dr. NP, president of the Polytechnic University of the Philippines (PUP), met at Puerto Azul in Cavite with, among others, a Commander Luming, a Major Rafael Nieva, and a commander Francis Baloloy. Subject of the meeting was “Winning the Election at all Costs. [Report 1]

On December 17, 1987, Dr. NP, Atty. B and others including some unidentified government officials discussed operation “Dirty Fingers” after the ASEAN Summit Meeting...[Report 3]

On December 8, 1987, a certain EA, tagged as a hitman in the group of Dr. NP, has been specifically assigned to assassinate Mr. ABS, EA has been described as Iranian mestizo looking, about five (5) feet in height, fair complexioned curly haired, sporting a mustache, and fairly built bodily...”

The passage skillfully employs negative prominence to cast a highly critical and potentially defamatory light on the individuals and events described. This is achieved through the stark accusation that Atty. B and his group are "plotting the assassination" of Mr. ABS, a grave and damaging assertion. Additionally, the narrative emphasizes events involving discussions of "Winning the Election at all Costs" and "operation 'Dirty Fingers,'" both of which imply unethical and potentially illegal activities for political gain. The portrayal of EA as a "hitman" assigned to assassinate Mr. ABS, complete with detailed physical descriptions, further accentuates the negative characterization. This use of negative language, repeated themes of criminality, and highly accusatory content ensure that the most damaging elements are prominently featured, with the potential to defame the individuals involved.

Ad Hominem. This tactic involves targeting the individual making a claim rather than addressing the claim itself, which can lead to the creation of doubt and uncertainty about the person, potentially harming their reputation (Dahlman et al., 2013; Hoggan & Litwin, 2016). This harm to an individual's reputation is a key element in defamation cases. This is observed in libel case 14, as shown in the letter below:

“Do not erase. Someone, who is impertinent and shameless, is prohibited to enter especially a maniac and thief like Mr. C.[Translated]

If your husband can't show any proof of his itchy tongue, then comply, and if your husband can't understand simple English because he came from a very poor, uneducated, and illiterate family, that's why he's impertinent. He should not involve us in his stupidity, which job he only knows is to hold "grasa" in Saudi. That's why he's unacceptable action and attempt to dirty my name makes him a lot more than his claim, and he's an asshole. He should not compare where his origin to ours. He's a thief and a fraud. Where your stair is placed is a clear evidence that you go beyond and touch our land. You let the "mojon" to walk so you can expand your land. Before you accuse your

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neighborhood, look at yourselves first. Your husband looks all the more a thief. [Translated] [First Letter]

Like how strong can you be Mrs A? Such a thick face you got there for you to make a blotter against me, so you can hide your husband who's maniac. [Translated] [Second Letter]"

In this case, the defendant employs a series of "Ad Hominem" attacks as a pragmatic strategy to convey defamation against Mr. C. Instead of addressing the core issue or providing evidence to support the accusations of being a "maniac" and a "dog thief," the defendant attacks Mr. C's personal characteristics, family background, and intelligence. By suggesting that Mr. C cannot understand "simple English" due to his supposed poor, uneducated, and illiterate family, the defendant attempts to undermine Mr. C's credibility and character. Furthermore, the defendant resorts to name-calling and derogatory language by referring to Mr. C as "impertinent" and an "asshole." These attacks are designed to tarnish Mr. C's reputation and portray him negatively without substantiating the initial allegations. In essence, the defendant uses "Ad Hominem" attacks to divert attention from the lack of evidence supporting the original accusations and instead resorts to personal insults and derogatory language to convey defamation and harm Mr. C's reputation.

Accusation. This refers to a statement or claim made about an individual or entity that alleges wrongdoing, typically in a false or damaging manner (Shuy, 2010). Such accusations, when false and harmful to one's reputation, can be a central element of a defamation case. This is supported by Tiersma (1987) and Shuy (2010), stating that libel constitutes an accusation, which the plaintiff must prove is indeed an accusation and not just mere opinions. This is observed in the libel case 15 below:

“The OIC Mayor and his associates are accused of plotting the assassination of another mayoral candidate in Makati. The accuser provides explicit details...Subject of the meeting was “Winning the Election at all Costs. [...Report 1...]

...threat to kill or hurt political ward and precinct leaders not supporting or opposed to Atty. Binay...pointers” and to shelter the hitmen after accomplishing or performing their missions. [...Report 3...]

The OIC Mayor and his associates are accused of plotting the assassination of another mayoral candidate in Makati. The accuser provides explicit details...fairly built bodily. [Report 4]”

In this text, the OIC Mayor and his associates are accused of plotting the assassination of another mayoral candidate. This accusation is a direct allegation of wrongdoing and harm directed at the OIC Mayor and his associates. Accusing someone of involvement in a criminal conspiracy, such as plotting an assassination, is a serious and damaging claim that can harm their reputation.

In the same vein, libel case 16 is also replete with accusation as shown in text below:

Now that we are set to build the hotel so that you could survive, you should stop your nonsense threat...unless we pay your exorbitant salary, house you, and support all your personal needs...you are nothing except a person who is trying to survive at the pretext of environmental and animal protector...bloated the price of each animal...owned more shares that you should. Please look into this deeply. [1]

Under the leadership of TD as chairman and chief executive officer of SBME, as of this date the company had incurred a loss of more than one hundred million...more than three hundred million pesos,

50% of which is overvalued and non-existent...70% of the recorded paid up capital...bleed the company...salary, car, etc. [2]

In the first text, the author accuses someone of making "nonsense threats" and suggests they are pretending to be an environmental and animal protector while engaging in unethical practices. These accusations are aimed at damaging the person's reputation and portraying them negatively. On the other hand, in the second text, the author accuses TD, the chairman and chief executive officer of SBME, of various negative actions, including causing significant financial losses to the company and overvaluing assets. These accusations can harm TD's professional reputation and standing within the company. Accusations like those found in both texts can be a form of defamation if they are false and can potentially harm an individual's reputation, character, or professional standing.

Conveyed Meaning. This involves implying a message indirectly, a practice that Shuy (2010) described as people's ability to express themselves in ways that can be interpreted differently. In the context of libel, this indirect communication often serves the purpose of accusing someone of wrongdoing or harming their reputation, as demonstrated in the libel case 17:

"Mr. Y joins forces with K

Mr. Y, a M crony who wants to takeover the ownership and management of the highly profitable Oriental Petroleum Minerals Corp. (OMPC), has tied up with M brother-in-law BKJ through two of his sons, records at the securities and Exchange Commission (SEC) showed yesterday.

Mr. K's two sons, Mr. B, 32, and Mr. F, 29, are now members of the board of the debt-ridden and heavily losing Benguet Corp., a company taken over by Marcos during his dictatorship, but which was sequestered at the start of President A's term".

Benign words/expressions characterize the case, but when used in the context of defamation, it may convey meaning far beyond its literal meaning. For example, "crony" means a close friend, especially of long standing. However, in this context, it implies a close and questionable association with former Pres. M and BR. This insinuation carries negative connotations, suggesting that the plaintiff received unwarranted favors or engaged in unethical activities due to his purported closeness to these individuals.

Appeal to Authority. Appeal to authority is a persuasive technique that relies on citing experts or credible sources to bolster an argument's credibility. It implies that the expertise or credibility of the authority figure validates the argument being presented (Walton, 2010). It is observed in the libel case 18 below:

"A. ...The validity of the alleged March 10 meeting of the management is still the subject of an on-going determination by the SEC and your misrepresentation as the school's President has no basis in law and in fact.

B. Even as Officer-in-Charge, your actions on school matters need prior consultation and ratification of the management committees... No such consultation/ratification was had...

C. You KNOWINGLY COMMITTED ACTS OF FALSIFICATION... Your inordinate desire to poke into the school's finances... from some defrocked members of the committee..."

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The provided text strategically appeals to authority as a pragmatic tool to convey a defamatory message. Specifically, it references the ongoing determination by the SEC (Securities and Exchange Commission), a regulatory body widely recognized for its expertise in financial and legal matters. This reference suggests that a higher authority, respected and trusted for its competence, actively scrutinizes the recipient's actions. This appeal to authority contributes to the defamatory message by insinuating that a prestigious and knowledgeable entity like the SEC is examining the recipient's conduct. Such an implication indirectly hints at potential legal or ethical wrongdoing on the part of the recipient. In essence, it portrays the recipient negatively by associating their actions with an ongoing investigation conducted by a reputable agency. This association can severely harm the recipient's personal and professional reputation, implying misconduct that necessitates external oversight. Using an authoritative reference influences readers to question the recipient's integrity and credibility, ultimately intensifying the defamatory nature of the message.

Fighting Words. As described by Shuy (2010) and Rosen (2002), fighting words are typically harsh and emotionally charged expressions that often lead to confrontations and breaches of peace due to their insulting nature. In the given passage, the use of words like "imbecilic," "idiotic," and "stupidity" clearly falls into the category of fighting words. These words are meant to insult and provoke a strong negative emotional response from the recipient. The Investigating Fiscal's decision to dismiss the case is portrayed as highly irrational and foolish, deliberately invoking anger and resentment. These fighting words are designed to incite immediate and violent reactions from those who read or hear them, as they carry a highly conventional and offensive meaning in the language, as Gard (1980) explained. Moreover, how the fighting words are employed demonstrates an act of strong disapproval or deploration, identified by Banguis et al. (2023) as a form of bald-on-record impoliteness, a concept originating from Culpeper (1996), directly challenging the other's social standing or face value. The use of fighting words is shown in libel case 19 below:

“Investigating Fiscal's invocation of the dismissal of I.S. No. 03-1412 was clearly imbecilic and idiotic.

... the Investigating Fiscal... shed lights of all the transaction and facts under investigation, chose to be guided by her manifest partiality and stupendous stupidity...”

Furthermore, in libel case 20, phrases such as "God of that pastor is weak," "stupid," "Crazy," "false prophet," "pastors of demon," and "stupidity" are all examples of fighting words. These words belittle and insult the individuals or religious figures they refer to and trigger anger, resentment, and confrontational emotions in readers. The employment is seen in the passage below:

“The God of that pastor is weak. What else should you call him aside from stupid?” reacted angrily as de venecia did win despite the fact that he was decreed that he will be the next president of the Philippines”. Crazy! Now.. I guess you now notice that he is a false prophet.

Those pastors of demon in our days, why don't you say that they are pastor of demons. wasn't he the one who said that de venecia will win? But what happed? Erap won. We will not allow him to sit at the malacanang palace. Look at that kind of stupidity, pastors in form of monsters. The God of that pastor is weak.

Your pastor is stupid. Whatever happen, they will still the be there. We call that as the spirit of fanaticism xxx for you to have that kind of religion, you should crazy. xxx. you're crazy that's why you succumb to wrong pastor.. because you're crazy.”

Sarcasm. Using politeness strategies in a Face-Threatening Act (FTA) appears insincere, resulting in surface-level politeness expressions. This happens when the context of a behavior does not align with its intended meaning or when the external context contradicts how a specific behavior is supposed to be perceived (Culpeper, 1996). Additionally, sarcasm, as defined by Shuy (2010), involves sharply mocking or contemptuous statements, often with the intent to harm someone. It also entails using words and expressions with meanings opposite to what is conveyed, ultimately delivering insults and irritation. This is observed in libel case 21 as shown below:

“Don’t you know?

That Muslim people in Mindanao do not eat pig and other animals.

For them, what has just been mentioned is considered sacred. They don’t need to eat even if they get hungry and will lose viand whenever they eat. They consider it [referring to pig] as like God that they praise it especially during Ramadan”.

The provided message is replete with sarcasm, which undermines and belittles the religious beliefs and practices of Muslim people in Mindanao. The message opens with a condescending tone, implying that the recipient is ignorant for not knowing what the speaker is about to assert. It then proceeds to mock the dietary restrictions of Muslims, particularly their avoidance of pork, by characterizing it as unnecessary and equating it to worshipping pigs. This sarcastic exaggeration not only trivializes their fasting practices during Ramadan but also disrespects the sanctity of their religious observance. By insinuating that Muslims praise pigs during their holy month, the message distorts and misrepresents their faith. Overall, the use of sarcasm in this message serves to insult and ridicule the religious beliefs of Muslim people, potentially causing harm to their reputation and community.

Presupposition. Presuppositions come into play when certain background information is assumed or implied within the statement, and these assumptions can significantly impact the interpretation of the libelous message (Stalnaker, 1975). This is observed in libel case 22 below:

“But whoever will succeed JoeCon (Mr. JC, then the Secretary of the Department of Trade and Industry), will inherit a brewing problem at the Eastern Visayas office of the Department of Trade and industry.

Eastern Visayas in Region 8 is made up of two Leyte and three Samar provinces.

In their letter to this comer, the Waray employees of DTI-8 say they are disgusted over how things are being run and handled in the regional office in Tacloban City.

Mismanagement, low morale, improper decorum, gross inefficiency, nepotism, etc.

Regional Director VD is accused of dereliction of official duties

These complaints, they say, were brought last year to the attention of DTI Makati. Civil Service Commission and Ombudsman.

Nothing has happened about their complaint (Translated)

That’s why we came to you, Gg. B, because your column is giving us result. (Translated)”

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The text employs three key strategies to insinuate Regional Director VD's guilt, contributing to defamation. Firstly, it utilizes a "Presumption of Guilt" tactic by repeatedly mentioning accusations and complaints against him, such as stating that he "is accused of dereliction of official duties." These mentions presuppose that he is indeed guilty of the alleged misconduct. Secondly, the text strategically incorporates quotations from a letter complaint by Waray employees, emphasizing that their complaints were brought to various authorities, yet "Nothing has happened about their complaint." These quotations serve to reinforce the presupposition that the accusations against Mr. VD are valid and that he has not faced consequences for his wrongdoing. Lastly, the text heightens suspicion by using quotation marks around phrases like "accused of dereliction of official duties" and "Nothing has happened about their complaint." These quotation marks imply that these statements are factual or direct quotes, further fueling the suspicion of Mr. VD's guilt. Combined, these tactics contribute to the defamation by crafting a narrative that strongly implies his guilt without outright stating it as fact.

Furthermore, libel case 23 is also replete with presupposition as shown below:

“That the administration of properties worth nearly P200,000 cost all except P7,000 of that sum is the story told in a complaint filed this morning with Jose McMicking, clerk of the Court of First Instance...

The complaint further states that immediately upon coming into the administration of the property, the defendant has disposed of the salable estate at a ruinous loss, in order to convert into actual cash all property which could be realized upon, and that the memorandum rendered by him had stated that the administration of the estate had cost such an amount that P7,000 was all that was left of the estate”.

The defamatory message heavily relies on presuppositions, particularly in three key aspects. Firstly, it presupposes that the administration of properties worth nearly P200,000 indeed cost all except P7,000 of that sum. Secondly, it presupposes that the defendant immediately disposed of the salable estate at a ruinous loss to convert it into actual cash for personal gain. Lastly, it presupposes that the plaintiff committed a serious crime, as it alleges that the plaintiff's actions led to a significant financial loss. These presuppositions, forming implicit assumptions and background information, imply the plaintiff's guilt and wrongdoing without explicit statements, contributing significantly to the defamatory nature of the message.

The same is true in libel case 23 below:

“I wish to denounce...for two years already under the following circumstances, viz:

That said Mr. ... and two other employees has been printing Christmas cards... appropriating the money derived therefrom for their personal use;

That the printing of these wedding invitation cards, term papers and others is being done at night...

That on... sold to a certain man wedding invitation cards printed in the Bureau of Printing...evidence in case there will be an investigation.

That because of this racket Mr. ... has already bought a choice lot in Las Piñas, subdivision, a coconut plantation in Catanauan, Quezon...bank account in a bank in Manila”.

The provided text exhibits several presuppositions that contribute to the defamatory nature of the message. Firstly, it presupposes the existence of a flourishing racket, setting a negative tone and implying wrongdoing. It further presupposes the involvement of Mr. ... and two other employees in this alleged racket, casting them in a negative light. The presupposition of nighttime printing insinuates secretive and potentially unethical activities. Additionally, the presupposition that Mr. ... sold wedding invitation cards printed in the Bureau of Printing suggests a breach of trust and misuse of resources. Finally, the presupposition of Mr. ...'s financial gains paints him as benefiting from these alleged activities, reinforcing the negative image. These presuppositions collectively frame the accusations in a manner that tarnishes the reputation of Mr. ... and the other employees, contributing to the defamatory nature of the message by implying guilt and misconduct without explicit confirmation.

In addition, libel case 24 also manifested the use of presupposition as shown below:

“A suspended Central Bank official yesterday said that a high-ranking CB official, who was dismissed for malversation from the Philippine National Bank before the war, intrigued and instigated the filing of charges against him.

In an interview, Mr. C, who was suspended the other day as special assistant to the CB governor and head of the CB export department asserted that the "intriguer" was "dismissed from the PNB when my father, Judge ..., was president of the bank.

The suspended CB official added that President Q. ordered this official's dismissal because he felt that the moment he (Mr. Q) was convinced a government official holding a position of trust was unfit to remain in public service, out he would go”.

The provided text contains several presuppositions that significantly contribute to its potentially defamatory nature. Firstly, it presupposes that the high-ranking Central Bank official was dismissed from the Philippine National Bank (PNB) due to malversation before the war. This underlying assumption implies a history of financial misconduct, insinuating unethical or illegal behavior on the part of the official. This insinuation directly harms the official's reputation by suggesting involvement in fraudulent activities. Secondly, the text presupposes that President Q ordered the dismissal of the mentioned official because he considered the official unfit for public service. This presupposition implies a lack of trustworthiness or competence on the part of the official, damaging his reputation further. It suggests that a high-ranking authority found the official unworthy of holding a position of trust in public service. Lastly, the use of terms like "intrigued" and "instigated" presupposes a deliberate effort to harm the suspended CB official by filing charges against him. These terms imply malicious intent on the part of the dismissed CB official, adding a layer of accusation and hostility to the text. This insinuation of malicious intent can significantly contribute to the defamatory nature of the message, as it portrays the official as a target of a deliberate smear campaign. Collectively, these presuppositions within the text contribute to its potentially defamatory character by implying financial misconduct, unfitness for public service, and malicious intent on the part of the dismissed CB official, all of which can harm his reputation and credibility.

Implicature. It involves indirectly suggesting damaging information about the subject without explicitly stating it, often by strategically violating communication norms (Grice, 1975). This allows for conveying defamatory implications while maintaining some level of deniability. This is observed in the libel case 25 below, emphasizing the statements the carry negative implicature.

Firstly, the statement implies that the Investigating Fiscal made a grave mistake or decision by invoking the dismissal of the case. The choice of words like "imbecilic" and "idiotic" suggests that her decision was not just wrong but also unintelligent and irrational, as shown below:

“The Investigating Fiscal's invocation of the dismissal of I.S. No. 03-1412 was clearly imbecilic and idiotic”.

Secondly, by mentioning that the Investigating Fiscal "chose to be guided by her manifest partiality and stupendous stupidity," as shown below, the text implies that she intentionally acted in a biased and foolish manner. It suggests that she had an option to act differently but deliberately followed a misguided path.

“Unfortunately, the Investigating Fiscal, despite the letter-request for clarificatory question to shed lights of all the transaction and facts under investigation, chose to be guided by her manifest partiality and stupendous stupidity...”

Thirdly, the statement below implies that the Investigating Fiscal's current role as a prosecutor is inappropriate due to her alleged shortcomings. It suggests that she would perform poorly as a defense counsel, which indirectly reinforces the negative portrayal of her competence.

“Thus, she should resign from the prosecutorial arm of the government and be a defense counsel. Then her infirm intellectual prowess and stupid assumptions be exposed in trial on the merits under which complainant is afforded the due process requirement of the law”.

Lastly, the statement below implies that the Investigating Fiscal is currently presenting herself as something she is not, specifically as someone with intellectual ability and mental honesty. The use of "exposed as a fraud and a quack" below suggests that her true character contradicts these qualities.

“At that stage of trial, she would be exposed as a fraud and a quack bereft of any intellectual ability and mental honesty”.

Implicature, in this context, contributes to the defamatory message by indirectly conveying severe criticism and negative evaluations of the Investigating Fiscal's competence, integrity, and decision-making abilities. It allows the text to insinuate damaging qualities without explicitly stating them, influencing the reader's perception of the Investigating Fiscal.

On the other hand, libel case 26 also carries implicature that contributes to the defamatory nature of the message, as shown in the text below:

“BAD FAITH IS ANSWER MADE

Mr. NAMED IN DOCUMENT FILED

That the contract sued upon was entered into by Mr. ... and the Murray Commercial Company in bad faith and for the purpose of defrauding Jose Santa Marina and the heirs of Joaquin Santa Marina...

...

This suit which involves an amount of P519,339, was brought by the Murray Commercial Company of Seattle against Jose Santa Marina for breach of contract...”

Implicature is prominently at play in the provided text, where the headline "BAD FAITH IS ANSWER MADE" implicitly suggests that Mr. ... has engaged in actions or intentions of a morally dubious or deceptive nature. The repetition of the phrase "bad faith" throughout the text amplifies this implicature, leading readers to infer that Mr. ... intentionally acted in a harmful or dishonest manner. Phrases like "entered into by Mr. ... and the Murray Commercial Company in bad faith and for the purpose of defrauding" further deepen the implicature, framing Mr. ...'s actions as intentionally deceitful. Additionally, negative actions attributed to him, such as "defrauding, breach of contract, and disregard of fair dealings," are presented in a manner that strongly implicates him in wrongdoing. The implicature

throughout the text insinuates that Mr. ...'s actions were ethically questionable, potentially damaging his reputation in the eyes of readers. Whether these implicatures constitute defamation would depend on the accuracy of the implied actions and their impact, a matter subject to legal assessment in defamation cases.

The same is true in libel case 27 below:

“(c) Away back in 1904, a horrible murder perpetrated in the presence of many persons...The justice of peace of that municipality made the proper preliminary examination in which all of the eyewitnesses to the crime testified, their testimony constituting conclusive proof. In view of this fact the justice of the peace found the accused guilty and bound him over for trial in the Court... registered as No. 90...

... that the accused in the said cause No. 90 won over the fiscal, Senior V., Judge Mr. C, and the clerk of the court, Senior A., with the sum of P6,000 which was delivered to the said clerk who distributed it among the three.

(d) These rumors are confirmed by others with reference to the clerk of the court,...I have been told that the said clerk publicly stated that if Fiscal Mr. S and Judge Mr. C. should dare to prosecuted him for estafa they also would be prosecuted as they had been parties to the acts committed by the said clerk.”

The implicature evident in the provided text plays a pivotal role in enhancing the defamatory nature of the message. Without explicitly stating accusations, the text strongly insinuates and implies several damaging claims. Firstly, it suggests that the accused managed to influence the fiscal, judge, and court clerk with a bribe of P6,000, insinuating corruption and unethical conduct within the legal system. Secondly, it implies that the court clerk openly asserted that if legal action were taken against him for estafa (fraud), both the fiscal and the judge would face prosecution as well, implying their complicity in wrongdoing. These implied allegations, although not explicitly voiced, are central to the defamatory character of the text. By employing indirect and suggestive language, implicature effectively contributes to the damaging and harmful nature of the message, tarnishing the reputation of those involved and fostering a negative perception in the reader's mind.

In addition, libel case 28 and 6 also employed implicature. The former used so to insinuate that the subject made a false promise before the elections regarding the single cedula tax, only to later act in a manner comparable to Judas, known for betraying Jesus. The phrase "act as did JUDAS" subtly implies treacherous behavior without directly accusing the subject. This indirect and suggestive language contributes to the defamatory nature of the message, casting the subject in a negative light and implying deceitful actions. Implicature serves to damage the subject's reputation and create a negative perception without explicit accusations. This is shown below:

“Because, it is falsity and villainous one too, to promise the people before the elections took place that as soon as he was made governor he would vote for the single cedula tax, which promise was repeated as governor many times on different occasions and in the presence of many persons, and then to act as did **JUDAS**”.

On the other hand, the latter used so to convey negative associations without explicitly making defamatory accusations. The speaker describes Mr... as a "non-Visayan pseudobully" who flaunts his position as the president of a vendor's federation. While not directly accusing him of wrongdoing, the use of terms like "pseudobully" and "flaunting" implies negative behavior and a certain lack of authenticity. Additionally, the mention of Mr...'s actions leading to the frustration of sinapo vendors and the reference to "power-brokers" dominating Bangkerohan insinuates negative actions without explicitly stating them. Implicature allows the writer to convey a critical tone and cast Mr... in a negative light, contributing to the

defamatory nature of the message, as shown below:

“Mr..., apparently a non-Visayan pseudobully flaunting with his tag as president of a vendor's federation, has intimated a good number of lowly hawkers...

...

One of the likely victims in this filthy machination are the sinapo vendors who have become explosively furious over the snafu they are facing because of the manipulation of stalls inside Bangkerohan

Some believe strongly this is odd, but they can only whimper at their helplessness against power-brokers who have taken over the dominance of Bangkerohan.”

Felicity Conditions. These are the conditions that must be satisfied for a speech act to be considered valid or successful (Searle, 1970). Fulfilling these conditions ensures that the speech act is meaningful, appropriate, and achieves its intended purpose in a given context. The specific felicity conditions may include propositional content (the meaning of the speech act), preparatory conditions (prior circumstances that make the speech act appropriate), sincerity conditions (the speaker's genuine intention to perform the speech act), and essential conditions (recognizability and appropriateness of the speech act in context). This is observed in libel case 29 below:

RESOLUTION

“Whereas, this governing body of the ‘Association A’ now assembled found sufficient documentary proofs against Mr. G. for having used the name of the association without proper authority to collect monies from the members which up to the moment of this assembly said Mr. G. intentionally fail to account for the collections as claimed by members in writing

Whereas, the good name and integrity of the said association is at stake and will be ruined and exposed to mockery and contempt by all members and the public”.

The resolution effectively fulfills the four felicity conditions for making a direct accusation within the context of the accusation. Firstly, the propositional content condition is met through implicit imputations of guilt or blame as the statement details Mr. G.'s alleged actions, serving as a direct accusation without an explicit performative. Secondly, the preparatory condition is satisfied by providing evidence and reasons supporting the accusation, such as specific instances of Mr. G.'s actions. These details serve as the antecedent for the accusation. Thirdly, the sincerity condition is evident as the statement is written to pursue further action and respectfully prays for action to be taken on the matter, aligning with the psychological attitude required by the sincerity condition. Lastly, the essential condition is fulfilled as the accusation is recognizable within the text, even without an explicit accusatory performative, based on the context and supporting details provided.

On the other hand, libel case 30 provided statement that effectively fulfills several felicity conditions for linguistically expressing strong negative opinions and accusations regarding the recipient's actions and behaviors in their role as the school's President. Firstly, it sets the context by addressing alleged misrepresentations and actions, satisfying the preparatory condition. Secondly, explicit accusations of misrepresentation, failure to consult or ratify, and acts of falsification constitute the propositional content, fulfilling the core meaning of the speech act. Thirdly, the speaker appears genuinely motivated to accuse the recipient, aligning with the sincerity condition. Lastly, linguistically, the statement explicitly makes these accusations, contributing to its accusatory and derogatory nature,

thereby meeting the essential condition. Overall, the statement meets these felicity conditions, enabling it to effectively convey strong negative opinions and accusations regarding the recipient's actions as the school's President. This is shown below.

“A. ...The validity of the alleged March 10 meeting of the management is still the subject of an on-going determination by the SEC and your misrepresentation as the school's President has no basis in law and in fact.

B. Even as Officer-in-Charge, your actions on school matters need prior consultation and ratification of the management committees... No such consultation/ratification was had...

C. You KNOWINGLY COMMITTED ACTS OF FALSIFICATION... Your inordinate desire to poke into the school's finances... from some defrocked members of the committee...”

CONCLUSION

The pragmatic analysis of libelous texts in Philippine libel cases has unveiled several crucial elements contributing to defamation. The illocutionary forces employed in the cases involved the use of rhetorical device, discourse framing, insult, innuendo, narrative style, negative prominence, ad hominem, accusation, conveyed meaning, appeal to authority, fighting words, and sarcasm. Also, the use of presuppositions, implicatures, and adherence to felicity conditions contributed to the defamatory communication. Undoubtedly, this study provides compelling evidence that defamation is intricately connected to the way language is used and perceived. Consequently, a pragmatic approach proves to be a valuable tool in explaining that a defamation claim cannot solely rely on the plaintiff's emotional response to being defamed but is significantly influenced by how the defendant's message is constructed. Through this study, it can be realized that the long-standing adage "sticks and stones may break my bones, but words can never hurt me" is not always accurate as non-physical or verbal actions can often be more vicious and damaging than physical violence. While it may sound cliché, it remains true that one's right to freedom of expression has limits when it infringes upon the rights of others. People become legally responsible if their exercise of freedom of expression tarnishes the reputation, integrity, virtue, and so forth of others. Therefore, individuals should exercise caution in how they manage their emotions and articulate themselves. This further means that people should observe politeness to promote diplomacy and prevent conflicts (Syting, 2018; Syting & Gildore, 2022), particularly those that have the potential to escalate into legal disputes.

In addition, it is conceivable that only those who have been discredited should feel ashamed based on societal norms. However, the person discrediting others bears just as much culpability as the individual they discredit, especially if they have presented themselves as a tactful individual at the expense of another's image while tarnishing their own. In the grander scheme of things, it is worth noting that anything constructed from the wreckage and remnants caused by one's actions is destined for impermanence; it will eventually crumble into nothingness.

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