

Lecture Notes for Section 4

Sec. 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 speech and expression, as guaranteed by the 1987 Philippine Constitution, is a fundamental right that applies to individuals and businesses in all sectors, including the tourism and hospitality industry. This right ensures that people can express their thoughts, ideas, and opinions freely. Here's how it applies to the industry:

Marketing and Advertising:

Freedom to Promote Services: Tourism and hospitality businesses have the freedom to advertise and promote their services. They can use various forms of expression, including written content, visual media, and online platforms, to reach potential customers.

Honesty and Accuracy: While businesses have the right to advertise their services, they must also adhere to principles of honesty and accuracy. Claims made in marketing materials should not be false, misleading, or deceptive, as this could infringe on the rights of consumers.

Guest Reviews and Feedback:

Guests' Right to Express Opinions: Guests have the freedom to express their opinions and experiences through reviews and feedback on platforms like social media, travel review websites, or guest surveys. This feedback is a form of protected expression.

Responsibility of Businesses: Tourism and hospitality businesses should respect the freedom of speech of their guests, even when they receive negative feedback. They can respond professionally and seek to address concerns rather than attempting to suppress criticism.

Employee Speech:

Employee Rights: Employees working in the tourism and hospitality industry also have the right to freedom of speech and expression. They can express their views, ideas, and concerns about their workplace, but this expression should not disrupt business operations or violate company policies.

Employer Response: Employers have the right to maintain order and discipline in the workplace. However, any restrictions on employee speech should be reasonable and clearly communicated through company policies and guidelines.

Cultural and Artistic Expression:

Preservation of Culture: Some tourism and hospitality businesses may engage in cultural or artistic activities to showcase local traditions and heritage. These expressions of culture are protected by the freedom of speech and expression.

Respect for Local Culture: While businesses have the right to express cultural elements, they should do so respectfully and in a manner that honors and preserves the local culture, taking into account any cultural sensitivities or regulations.

Public Events and Gatherings:

Hosting Events: Tourism and hospitality establishments often host public events, conferences, or gatherings. These events provide opportunities for the free exchange of ideas and expression.

Ensuring Safety: While upholding the freedom of expression, businesses should also ensure the safety and security of attendees and address any potential disruptions in a lawful manner.

In summary, the freedom of speech and expression under the 1987 Philippine Constitution applies to the tourism and hospitality industry by safeguarding the rights of individuals and businesses to communicate, promote their services, and express their ideas and opinions. However, this freedom is not absolute and should be exercised responsibly, respecting the rights and dignity of others and adhering to applicable laws and regulations.