

## Language in Crisis Negotiations: The Rizal Park Hostage-Taking Incident

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### ABSTRACT

*This paper is aimed at examining the Rizal Park hostage-taking incident from the lens of forensic linguistics that looks into crime management. The incident happened on August 23, 2010 in Manila, Philippines when a tourist bus loaded with 20 Hong Kong nationals was hijacked by a disgruntled former officer of the Philippine National Police by the name of Rolando Mendoza. Employing the DIAMOND model of Grubb et al. (2020), FBI's Behavioral Change Stairway Model (BCSM), and Hammer's (2007) S.A.F.E. model, the study analyzed the stages in the negotiation process employed by the negotiators, the relationship-building process and the communicative dynamics of the hostage-taking incident. Findings revealed that the stages of negotiation in the DIAMOND model were not all carried out. Following the BCSM model, the negotiators were not able to build empathy with the hostage-taker. Communicative dynamics as reflected in the S.A.F.E. model was not likewise successful as pertinent information was not transmitted with maximum effectiveness. The poor handling of the incident and the failure of the negotiation led to the eventual death of innocent people, including the hostage-taker himself and the issuance by the Hong Kong government of a 'black' travel alert for the Philippines. It is hoped that with this study, a more effective and efficient way of managing crime incidents in the country can be carried out to avoid further disasters.*

*Keywords: language in crisis negotiation; hostage-taking; Manila hostage crisis; Rizal Park; crime management*

### INTRODUCTION

With the numerous hostage-taking incidents happening in many countries including the Philippines, crime management has become an important consideration with several negotiations that failed. There are two reasons why hostage-taking incidents have become more prevalent: (1) the international society's influence in stimulating mimetic acts; and (2) the strategic efficacy of such act inasmuch as human life is deemed valuable (Cooper, 1981). As cited in Molé and Cohen (2016), Hiscox Group, a prime international specialty insurance company, claims that "the number of reported worldwide kidnappings for ransom increased from 1,690 in 1998 to 1,789 in 1999 and that over 90% of those incidents took place in the top 10 riskiest areas: Colombia, Mexico, the former Soviet Union, Brazil, the Philippines, Nigeria, India, Ecuador, Venezuela, and South Africa" (p. 885). Moreover, according to Molé and Cohen (2016), a Dutch human rights group estimates that at least 25,000 people were kidnapped worldwide in 2006. In the Philippines, there are numerous cases of kidnapping incidents, some of which are terrorist-led. However, there is one controversial incident that happened involving foreign nationals where at least eight Hong Kong tourists were killed during a devastating incident in 2010. This hostage-taking incident is known as "The Manila Hostage Crisis" (Metila, 2013).

The International Convention against the Taking of Hostages (1979) defines hostage-taking as “the seizure or detention of a person (the hostage), combined with threatening to kill, or injure or to continue to detain the hostage, in order to compel a third party to do or to abstain from doing any act as an explicit or implicit condition for the release of the hostage” (p. 207). The Elements of Crimes for the International Criminal Court (1998) likewise used the same definition but added:

... the required behavior of the party could be a condition not only for the release of the hostage but also for the safety of the hostage. It is the specific intent that characterized hostage-taking and distinguishes it from the deprivation of someone’s liberty as an administrative or judicial measure (p. 2).

In addition, Vecchi et al. (2005) assert that hostage situations “*involve the taking of a person captive for instrumental or tangible reasons; the suspect needs the police or other authorities to meet specific demands (e.g., ransom, transportation, money)*” (p. 535). This definition is corroborated by McMains and Mullins (2013) who described a hostage as:

a person held as a security for the fulfillment of certain terms. Several points need to be emphasized when considering this definition. First, it is important to understand the implications of the involvement of a person. A living being, not an inanimate object, is at risk. Inanimate objects can be used in extortion, but it takes a living person to make an incident a hostage incident. Second, it is important to understand that the person is held. The hostage is not there voluntarily. The holding may be physical or psychological; the impact on the person is the same. A person is traumatized because of his or her lack of control and is made to feel powerless and dependent on the hostage taker (p. 1).

Finally, Schmid (2021) adds to the description of hostage-taking:

...acts of hostage-takings involve the seizure of a group of persons (less often a single person) and detaining them, usually at a known location, while threatening to injure, mutilate or murder some or all of the hostages in an effort to seek compliance to demands addressed to a third party, usually a government. They are not uncommon in insurgent warfare. Common to both kidnappings and hostage takings is that the victims – whether targets of opportunity or specifically selected persons - are seized by abductors and kept in a location, while compliance with demands is expected in exchange for not hurting those held captive and the eventual release of (some of) them. If the location is known and terrestrial, the scene of crime will be surrounded by security forces and the result is a barricade hostage-taking situation. These siege situations differ in important ways from other acts of hostage taking, but statistics sometimes combine barricade situations with those referring to other acts of hostage taking. Locations for all types of hostage taking can be on land (e.g. embassy occupation), on water (e.g. piracy) or in the air (e.g. hijackings). (p. 757).

The Philippines is one of those countries often beset by insurgency and terrorism. It faces numerous crimes including hostage-taking incidents. The most controversial hostage-taking incident in the country is the Manila Hostage Crisis involving foreign tourists that culminated in the deaths of some of them, officially known as the Rizal Park Hostage-taking Incident (henceforth, RPHI). It happened on the fateful day of August 23, 2010 when a disgruntled former

officer of the Philippine National Police (PNP) by the name of Rolando D. Mendoza hijacked a Hong Thai tourist bus stationed in Rizal Park. Mendoza claimed that he was unfairly dismissed from his job, and he demanded a fair hearing to defend himself. He then held hostage the bus with at least 20 tourists and a tour guide from Hong Kong, and four local Filipinos. After separate investigations by both the Philippine and Hong Kong governments, it was concluded that the incident was poorly handled resulting in the death of at least eight Hong Kong tourist nationals and the hostage-taker himself. The incident likewise led to the issuance of the Hong Kong government of a “black” travel alert for the Philippines.

The first report of the Incident Investigation and Review Committee (IIRC) on the RPHI, which included a sequence of events, evaluations, and recommendations, was submitted on September 17, 2010 to the Department of Justice and the Department of Interior and Local Government. It stressed that: “The matter under investigation has acquired international dimensions, and the repercussions of the results of the investigation being undertaken involve diplomatic repercussions in the foreign relations between the People’s Republic of China and the Republic of the Philippines” (p. 7).

Hostages react differently to the hostage-takers as their demands are put forward. In the beginning, these demands while large, are still feasible but turn later on to grander demands impossible to grant such as call for ransoms, release of prisoners, and policy changes. This affects the hostage incidents’ length. As negotiations become more grueling and final demands turn out to be nonviable and unfeasible, the duration and endings of these incidents become potentially fatal.

In a crisis negotiation, the release and safe return of hostages is always the goal. However, the reality is that not all negotiations turn out to be successful. During the hostage-taking, hostages may suffer from both mental and physical torture. To avoid any further harm, hostages adapt to the hostile situation and cope with being held hostage for hours or even days or months. Most hostages are submissive to their captors, avoiding being belligerent and remaining calm. How they survive (and succumb) and the stress debriefing they undergo is indeed a deep concern. It is then inevitable for a hostage to be traumatized as s/he feels powerless, becoming subservient to the demands of the hostage-taker as the negotiation ensues.

Against this backdrop, this paper has been conceptualized to examine the RPHI from the lens of forensic linguistics. While several accounts narrating this incident have been published, no article had ever been written that investigated this hostage-taking applying certain frameworks. This is corroborated by the fact that even in other countries, hostage-taking has received relatively little attention from criminologists despite its serious nature, and the challenges it presents for the police (Tillyer et al., 2015, p. 377). Limited scholarly attention given to this area of study may be due to the lack of available data. Hence, it is hoped that this study becomes a welcome addition to studies on crime management, in particular, hostage-taking negotiations.

## HOSTAGE NEGOTIATIONS

In hostage negotiations, it is important to analyze the relationship between the hostage-taker and the victim. Tillyer et al. (2015) report that existing research on violent crimes such as kidnappings demonstrates that the relationship between the victim and the hostage-taker is an important area of consideration for understanding the nature of the incident and the response of the criminal justice system. Kidnappings stem from a range of motives – sexual, financial, political, custodial and

emotional which vary based on the victim-offender relationship which influence how these events unfold (p. 378). It is therefore important to compare the characteristics of kidnappings perpetrated by family members, acquaintances and strangers and how this victim-offender relationship influences kidnapping outcomes including victim injury during criminal incidents, the co-occurrence of sexual victimization and the situational correlates of arrest. Findings revealed that in relation to victim-offender relationship, victim injury was more likely to occur in kidnappings perpetrated by a suspect known to the victim, who may be an acquaintance or a family member stemming from interpersonal relationship conflict. With respect to the co-occurrence of sexual victimization, it varies by the victim-offender relationship with sexual victimization more common in kidnappings perpetrated by strangers which may be due to the variation in offender motivation by the victim-offender relationship. As regards situational correlates of arrest, arrest was more likely to occur in kidnappings perpetrated by non-strangers because suspect identification is easier. Furthermore, Tillyer et. al. also found that some situational variables differentially influence the likelihood of arrest depending on the victim-offender relationship. Thus, those variables that may influence the perceived seriousness of the crime were related to arrest in familial and acquaintance kidnappings but not those perpetrated by strangers as these are perceived to be serious regardless of situational factors. They also highlighted that arrest is more likely to happen in familial and acquaintance kidnappings involving victim injury and the use of a knife likely in familial and acquaintance kidnappings involving younger victims and female offenders. Finally, as mentioned earlier, the data analyzed were limited only to crimes known to the police so it would have been better if other crime types were part of the data examined.

In another study, Brandt et al. (2016) found that hostage-taking were among the riskiest operations and attracted huge media attention. Hostage-taking missions in the form of kidnappings, skyjackings, non-aerial hijackings, and barricade and hostage missions attracted significant press coverage when the negotiations drag on and the terrorists are able to release videos or written appeals by the hostages. There are instances when a crisis negotiation becomes successful because negotiators give in to concessions made by the hostage-taker. However, Brandt et al.'s (2016) study showed that the no-concession policy rules out the swapping of prisoners or other concessions in lieu of ransoms. This is especially true for the United States and the United Kingdom which maintained their no-concession policy since 2001. Brandt et al. (2016) likewise designed a conceptual game-theoretic model of kidnapping by using the Bayesian time series analysis and observations on terrorist kidnappings from 2001 to 2013. It ascertained the empirical outcomes of terrorist kidnappers' negotiation success resulting in more hostages being abducted because of terrorists' anticipated future payoffs. Said conceptual analysis showed that terrorists abduct more hostages from countries that grant concessions.

Hatcher, Mohandie, Turner & Gelles (1998 in Vecchi et al., 2005) highlight that "the goal or mission of crisis/hostage negotiation is to utilize verbal strategies to buy time and intervene so that the emotions of the perpetrator can decrease and rationality can increase" (p. 455). The specific verbal strategies used to accomplish this goal fall under the rubric of active listening skills. Consequently, these behaviors, which are critical for the establishment of rapport between the negotiator and subject in crisis situations, have been emphasized in most crisis negotiation skills training programs (Van Hasselt and Romano, 2004 in Vecchi et al., 2005).

Schmid (2021) highlights what can be done to avoid these incidents by focusing on the first phase which is the seizure phase and the second phase which is the negotiation phase that may lead to the prevention of the loss of lives. In the second phase, it is the hostage negotiator who can be the main preventer because he has the ability to save lives. However, it has been made clear

that though prevention is possible, it is never easy. According to Schmid, there are successful preventive measures that are not feasible without being prepared in the first phase of hostage-takings and even without professional negotiation skills and some room for manoeuvre for the negotiator in the final phase. While prevention is a remedy, there is also a price to prevention, most especially when insurance fees and ransom are paid (p. 773).

## THE RIZAL PARK HOSTAGE TAKING INCIDENT

The Incident Investigation and Review Committee (IIRC) (2011) officially termed the Manila Hostage Crisis that took place on August, 23, 2010 at the Quirino Grandstand, Manila, as the *Rizal Park Hostage Taking Incident*. The IIRC submitted two reports. The first report was primarily based on: 1.) Affidavits and testimonies of Government and Police Officials and Personnel; 2.) Affidavits and testimonies of the released hostages and survivors; 3.) Affidavits and testimonies of the hostage-takers' friends and relatives; 4.) Affidavits and testimonies of broadcast news reporters; 5.) Documents provided by the resource persons; 6.) Documents, Reports and Presentations of the PNP-SOCO, NBI and Hong Kong Police Department; and 7.) Ocular Inspections (p. 8). The second report was a manual that contained: 1.) a review of operational plans and procedures, training, and equipment of responsible agencies; 2.) a review of Philippine National Police standards and procedures in administrative cases involving police officers and personnel; and 3.) recommendations and policies and programs for institutional reform.

In their first report, the IIRC stated that the incident lasted for 11 hours, from 10:00 in the morning until 9:00 that evening. The hostage-taker, Rolando Mendoza, a former police officer, hijacked a bus carrying 21 tourists and their tour guide from Hong Kong. With them were three Filipinos: 1.) Alberto L. Lubang, the driver; 2.) Danilo L. Nebril, the photographer; and 3.) Egor (Rigor) Cruz, Nebril's assistant photographer and godson. According to Lubang, Mendoza was wearing his police uniform, carrying a long firearm (M16 rifle), a black backpack, and a pistol on his waist. It was not clear whether Mendoza boarded the bus in front of Fort Santiago or Intramuros. He then directed the driver to take them to Rizal Park. As they approached the site, Mendoza announced to the tourists that they were his hostages. At first, Mendoza reassured the hostages that he would not harm them if they cooperated with him. A nonviolent and placid negotiation between the negotiators and the hostage-taker went on for the whole afternoon. However, because of miscommunication with the negotiator and his demands not being granted promptly, Mendoza held the hostages until 7:00 in the evening although he released a few hostages at a certain time as requested by the police. At around 7:20 p.m., Mendoza opened fire upon seeing his brother get arrested for being an "accessory" to the situation. As a result, the assault team was deployed. The shootout between Mendoza and the assault team lasted for more than an hour, from 7:35 to 8:41 p.m. When movement from Mendoza was observed by PO2 Leo Sabete from the sniper team, the hostage-taker was killed on the spot.

This incident deeply traumatized the survivors, the families of the hostages, and the Hong Kong government. It scarred the relationship between the Philippines and Hong Kong, the latter imposing sanctions on the former regarding the 14-day visa-free access (Li, 2014). The Hong Kong government then demanded a formal apology from the Philippine government, then headed by the late President Benigno Aquino, III, who failed to do so (Woodhouse, 2014). Aquino believed that the act of one individual (who was) probably mentally unstable at that time should not be construed as the act of the entire country and he reiterated his utmost regret as to what happened (Esmaque

II, 2013). Four years after this devastating event, the issue was resolved as the demands of the Hong Kong families were met. These four demands were: (1) apology, (2) compensation; (3) sanctions against responsible officials and individuals and; (4) tourist safety measures (Gutierrez, 2014). The relationship between the two countries was fully restored in 2018 when the Duterte administration, the successor of Aquino, gave a formal apology to the victims' families, survivors, and the Hong Kong government (Ranada, 2018).

While this is an attempt to analyze the incident based on relevant frameworks on hostage-taking, there are limitations that may be observed. For instance, the IIRC report stated, that for lack of material time, the report of the incident investigation did not include the: 1.) findings on ballistic tests on bullet fragments subject to Manila testing; 2.) material affidavits as the English translations arrived on the fifth day of the drafting of the incident report; and 3.) other affidavits and testimonies which would have been supportive of the narrative but not crucial to the laying down of the critical events in the 11-hour hostage drama. Moreover, other affidavits and testimonies were also not completely integrated in the narration of the events of the hostage-taking incident for lack of material time. Finally, it is to be noted that there was no recorded video of the events. Thus, the researchers relied only on the report released by the IIRC on September 17, 2011. Some utterances with English translations used in the analysis were part of the report.

#### THE DIAMOND MODEL: STAGES OF NEGOTIATION IN THE RIZAL PARK HOSTAGE TAKING INCIDENT

The DIAMOND Model (Grubb et al. 2020) addresses hostage and crisis negotiation from a United Kingdom perspective. It holds that the stages of negotiation comprise the following: 1) Deployment; 2) Information and intelligence gathering; 3) Assessment of risk and threat; 4) Methods of communication; 5) Open dialogue with subject; 6) Negotiator toolbox and repertoire; and 7) Debriefing procedures (p. 12). It is also important to note that this framework was developed 10 years after the incident took place in the Philippines.

Findings revealed that when the DIAMOND model was applied in the context of the RPHI, the progression of stages was not followed sequentially. Stage M (Methods of Communication), Stage O (Open dialogue with subject), and Stage A (Assessment of Risk and Threat) were the only stages of negotiation employed by the Philippine police and negotiators thereby missing the following stages: 1) Deployment; 2) Information and intelligence gathering; 3.) Negotiator toolbox repertoire; and 4) Debriefing procedures. The sequence of events as well as the utterances stated in the First Report of the IIRC serve as the corpus in analyzing the negotiation stages.

Below is the DIAMOND model:

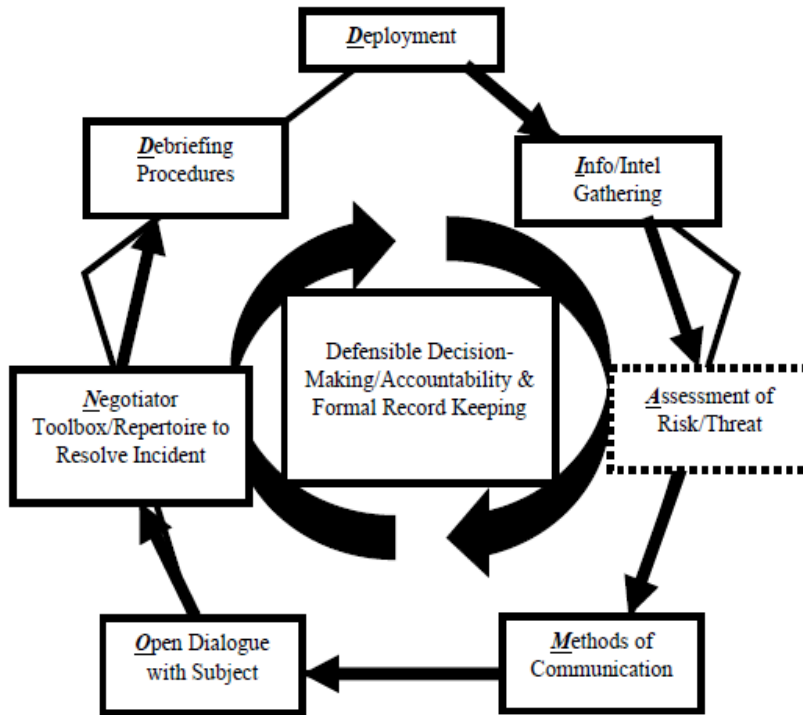


Figure 1. Simplified Version of the DIAMOND Model (Grubb et al., 2020)

The first stage employed by the Philippine negotiators was Stage M (Methods of Communication). Several methods of communication were articulated in Grubb et al. (2020) such as face-to-face (F2F), telephone, megaphone, text message (SMS), and internet/email/social networking sites (SNSs). However, for this particular incident, only the telephone or mobile (cell)phone and face-to-face types of communication were utilized. As the hostage-taker was in possession of a rifle, the initial negotiator, Police Chief Inspector (Major) Romeo Salvador, first communicated with Mendoza by calling him through the cellphone of Lubang, the driver, after 10:00 a.m. Major Salvador introduced himself as the assistant negotiator and Mendoza remembered him as an acquaintance when Mendoza was temporarily retrenched at Camp Bagong Diwa (headquarters of the National Capital Region Police). After talking to him over the phone, Major Salvador was permitted by Mendoza to approach the driver's window but without his bulletproof vest. The negotiator and hostage-taker had an open dialogue about the latter's demands. This is where Stage O (Open Dialogue with subject) comes in. Mendoza believed that he was unfairly dismissed from his position hence, the reason for his actions. He demanded a favorable Decision from the Ombudsman on his Motion for Reconsideration for his immediate reinstatement to the police service. Mendoza stated that as soon as his demands were granted, he would surrender himself immediately. He then directed Major Salvador to copy what was written on a paper posted on the windshield of the bus. The paper contained criminal case numbers as well as the names of three Ombudsmen: Deputy Ombudsman Emilio Gonzalez, Deputy Ombudsman Orlando Casimiro, and Ombudsman Merceditas Gutierrez. While doing so, Major Salvador assessed the density of the windshield which he concluded was impenetrable by bullets. This falls under Stage A (Assessment of Risk and Threat). This stage identifies the following as schemes in assessing risk and threat: (1) prioritized assessment of risk to negotiator; and (2) continuous dynamic risk

assessment of negotiator, subject, colleagues, and wider community. The actions of Major Salvador could be deemed as a prioritized assessment of risk to negotiators and other authorities. As there was a high risk that Mendoza would open fire if he was provoked, testing the thickness of the windshield was crucial. It forewarned the negotiators that Mendoza would not be able to shoot the negotiators and authorities outside the bus. However, the second strategy, the continuous dynamic risk assessment of negotiator, subject, colleagues, and wider community, was not given attention. The negotiators were not able to assess the risk and threat inside the bus and no possible escape plan was created for the hostages. This was extremely significant as hostages should be the top priority. This then confirms that no proper sequencing of the stages was observed. While Stage M (Methods of Communication) and Stage O (Open dialogue with subject) were employed, Stage A, which is the Assessment of Risk and Threat, should have been utilized first.

After Major Salvador's talk with Mendoza and the testing of the windshield, he communicated to Mendoza that Lt. Col. Orlando Yebra, the chief negotiator, would be taking over as the negotiator. However, Mendoza firmly refused to talk to Lt. Col. Yebra. Lt. Col. Yebra called Mendoza once again through the cellphone of Lubang, asking if he could approach the bus. Mendoza agreed and Lt. Col. Yebra was able to talk to him face-to-face. This is a recurrence of Stage M (Methods of Communication). Shortly after, Stage O (Open Dialogue with subject) was re-employed. It should be noted that Stages M and O were employed twice, indicating that the previous negotiation was not successful. The first negotiation was at around 10:30 a.m. and the second at 11:00 am. At this time, Mendoza was talking to Lt. Col. Yebra, the chief negotiator, and he handed to Lt. Col. Yebra the documents pertinent to his dismissal. Mendoza demanded that the documents be delivered to Secretary Leila de Lima of the Department of Justice to facilitate the process of his reinstatement to the police service. At around 12:30 p.m., Stage O was employed the third time. All three questions asked by the negotiators were similar. The questions were stated as either "*Bok ano ba ang problema?*" (*Bok, what's the problem?*) or "*Bok, ano ba nais mo at bakit ka nandito?*" (*Bok, what do you want and why are you here?*). Another variation of this question was asked again by Col. Yebra at 12:45 p.m.: "*Rol, ano bang problema? Baka pwede nating pag-usapan?*" (*Rol, what is the problem? Perhaps, we can talk about it?*).

## THE BCSM: RELATIONSHIP-BUILDING PROCESS IN THE CRISIS NEGOTIATION

The Behavioral Change Stairway Model (BCSM) was conceived by the Federal Bureau of Investigation's (FBI) Crisis Negotiation Unit composed of Vecchi, Van Hasselt, and Romano (Vecchi et al., 2005). This delineates the relationship-building process between the negotiator and the hostage-taker, concluding in an amicable agreement of the incident. Figure 2 below presents the Behavioral Change Stairway Model (BCSM).



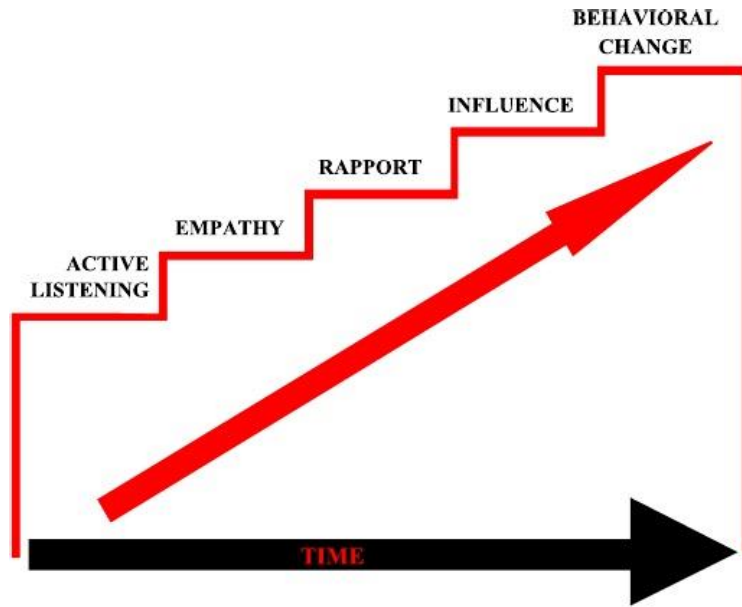


Figure 2. Behavioral Change Stairway Model (Vecchi et al., 2005)

As seen in the figure above, BCSM consists of five stages. Vecchi et al. (2005) highlight that the advancement through these stages comes in sequential and increasing order. These stages are: 1.) Active listening; 2.) Empathy; 3.) Rapport; 4.) Influence; and 5.) Behavioral change. They point out that “successful resolution of the crisis can only occur when the previous stages have been executed successfully” (p. 541). However, results showed that the negotiators in the RPHI were not able to employ these stages, resulting in a failed relationship with the hostage-taker. In this subsection, the sequence of events as well as the verbatim exchange of utterances between the negotiators and the hostage-taker served as the corpus.

The first stage employed by the negotiators was Stage 3 (Rapport). This is an unusual beginning as the two initial stages were disregarded. During the first encounter of Mendoza with the negotiators at around 11:00 a.m., rapport was immediately established as Major Salvador appeared to be an acquaintance of Mendoza when he was still in Camp Bagong Diwa. The negotiator and the hostage-taker discovered their common ground, making way for a fruitful conversation to take place. Mendoza then allowed Major Salvador to approach him and converse with him face-to-face without any reservation. This is where Stage 1 (Active Listening) comes in. This is the most essential component of BCSM hence, must be practiced as the first stage. However, this was employed as the second stage in the RPHI. As mentioned in the previous section, the negotiators asked Mendoza the same questions all over again. These are open-ended questions categorized as a supplemental active listening skill. Examples of these questions are “*Bok ano ba ang problema?*” (*Bok, what’s the problem?*); “*Bok, ano ba nais mo at bakit ka nandito?*” (*Bok, what do you want and why are you here?*) and; “*Rol, ano bang problema? Baka pwede nating pag-usapan?*” (*Rol, what is the problem? Perhaps, we can talk about it?*). In the BCSM, the core active listening skills are mirroring, paraphrasing, emotional labeling, and summarizing while the supplemental active listening skills are effective pauses (silence), minimal encouragers, and “I” statements. It is worth noting that these were not employed as the data was only limited to affidavits and testimonies of government and police officials, released hostages, survivors, hostage-taker’s friends and relatives, and broadcast news reporters as well as ocular

inspections, documents, reports and presentations of the Philippine National Police – Scene of the Crime Operative (PNP-SOCO), National Bureau of Investigation (NBI) and the Hong Kong Police Department. There was also no actual footage that was documented from the beginning of the negotiation until the end.

The open-ended question-answer exchange persisted from past 10 in the morning until past 3 in the afternoon. Around 4:00 p.m., Mendoza released Nebril, one of the hostages, as he was requested by General Rodolfo Magtibay, the Police Chief Superintendent and District Director of the Manila Police District who had direct supervision over Manila in terms of crime management. Mendoza called Nebril saying, “*Bumaba ka na, tawag ka ni General.*” (*You go down now. The General is asking for you.*) This may be classified under Stage 4 (Influence). Influence can be achieved when “a relationship has been established and the subject is willing to accept the suggestions of the negotiator as a prelude to behavior change” (Vecchi et al, 2005, p. 545). It is important to note that there were a few hostages released before 4:00 p.m. however, it was Mendoza’s decision to do so and was not a consequence of the persistent suggestion of the negotiator. After 4:00 p.m., no verbatim exchange of utterances was recorded in the report. It can then be assumed that the relationship-building process between the negotiator and hostage-taker was only at a standstill which was not achieved in the long run.

The analysis revealed that only Stage 3 (Rapport), Stage 1 (Active Listening), and Stage 4 (Influence) in this order, were employed in the relationship-building process. The sequential order was not followed, resulting in the failure of the negotiation. It appears then that although this framework was evolved in 2005 which was five years before this fateful day in August 2010, said model evolved by the FBI was not applied by the Philippine National Police as their negotiation model.

### THE S.A.F.E. MODEL: COMMUNICATIVE DYNAMICS OF CRISIS NEGOTIATION

The S.A.F.E. model by Hammer (2007) centers on the “communicative dynamics of crisis negotiation” (p. 6). This framework has four components: (1) substantive demands; (2) attunement; (3) face; and (4) emotional distress. Table 1 below shows the frequency of occurrence per component and interlocutor based on the utterances.

Table 1. Frequency of Occurrence of S.A.F.E. model components

Frequency of Occurrence of SAFE model components	Hostage Taker (HT)	Negotiator CN: Chief Negotiator AN: Asst. Negotiator	Others (hostages /brother) (O)	Total
Substantive Demands	7	1	0	8
Attunement	7	7	6	20
Face	6	0	0	6
Emotional Distress	10	1	0	11
<b>Total</b>	<b>30</b>	<b>9</b>	<b>6</b>	<b>45</b>

As can be seen in the table above, *attunement* was the most frequently employed component in the S.A.F.E. model. Attunement is defined by Hammer (2008) as “the quality of the relationship that involves a sense of vulnerability toward the other party, an expectation of cooperation, and a liking toward and consideration for the well-being of the other party” (p. 37). Examples of attunement are found below:

Extract 1

HT: “*Just cooperate and no harm. Iho-hostage ko lang kayo hanggang alas tres ng hapon.*” (I will hold you hostage only until 3:00 p.m.)

Extract 2

O1: “*Excuse me sir, I have upset stomach.*”

Extract 3

AN: “*Bok ano ba nais mo at bakit ka nandito?*” (Bok, what do you want and why are you here?)

As seen in Extract 1, Mendoza, the hostage-taker, uttered an imperative that expresses both a command and a warning. This falls under the category of “expectation of cooperation”. His way of asking for cooperation from the hostages is by giving them a threat that they will not be harmed if they cooperate with him. Another example of attunement is seen in Extract 2. This is an example of a “sense of vulnerability toward the other party”. In this case, the hostage politely told Mendoza that she has an upset stomach. The use of the phrase “Excuse me” as well as the honorific address “Sir” indicate a polite way of addressing the hostage-taker. Being respectful to the perpetrator shows the hostage’s sense of fear and vulnerability with the desire to avoid being harmed which may be considered a form of cooperation with the hostage-taker. Extract 3 is an example of showing both an “expectation of cooperation” and “a liking toward and consideration for the well-being of the other party”. With the negotiator’s question, he is anticipating a response from the hostage-taker, with the intention of reaching a compromise with him. This also shows consideration for the well-being of the hostage-taker. By asking the question, the negotiator is trying to build rapport with the hostage-taker and have more open communication with him. Utterances categorized as attunement are employed with the objective of avoiding conflict which may lead the hostage-taker to inflicting harm on the hostages.

*Emotional distress* is the second component in the S.A.F.E. model frequently employed most especially by the hostage-taker. It is defined by Hammer (2008) as “intense, negative emotions that compromise an individual’s coping ability” (p. 73). Examples of these are joy, dejection, fear, disgust, resentment, and humiliation. A heightened level of emotional distress is often experienced by individuals most especially when they are in life-threatening situations such as a hostage crisis. In this particular scenario, the hostage-taker experienced emotional distress more than the hostages or negotiators as seen in the following extracts:

Extract 4

HT: “*Putang ina mo, humihingi ka pa ng P150,000 para sa kaso ko, kung may mamamatay dito kasalanan mo lahat!*” (You son of a bitch, you are asking for P150,000 for my case, if anyone dies here it’s all your fault!)

Extract 5

HT: *“Pakawalan nyo ang kapatid ko. Walang kinalaman yan! Pag hindi nyo pinakawalan yan ay papatayin ko na ‘to lahat!”* (Release my brother. He is innocent! If you do not release him I will kill all of these!)

Extract 6

CN: *“Bakit mo ginawa yun, inuuna mo pa baril mo, ang sabi mo makakatulong ka, yun pala ikaw ang magpapagulo.”* (Why did you do that, your first concern is for your gun, you told us you can help, instead you are the one to mess this up.)

In all extracts, it can be inferred that the parties involved have become highly emotional and critical. In Extract 4, the hostage-taker uttered cuss words as he was provoked by the Ombudsman. The hostage-taker warned that if someone dies during the incident, the blame should be imputed on the Ombudsman. In Extract 5, the hostage-taker became intensely disgusted when his brother was arrested. Feeling exasperated, Mendoza suddenly opened fire. Conversely, in Extract 6, it was the negotiator who expressed a high level of frustration, when Gregorio, the brother of Mendoza, exacerbated the situation by diverting Mendoza’s attention to his concern on his confiscated weapon. So far, based on the report, this is the only utterance that evinced the emotional distress of the chief negotiator.

While hostage-taking situations highlight the *substantive demands* of the hostage-taker, this was not frequently employed during the incident. Hammer (2008) describes substantive demands, the first component in the S.A.F.E. model, as the desires or needs of the hostage-taker to be acknowledged and negotiated. There are two forms of substantive demands: (1) central substantive demands which are most relevant to the current situation and; (2) peripheral substantive demands that are less important in the negotiation (Hammer, 2008). An example of central substantive demands can be seen in the extract below:

Extract 7

HT: *“Sir, gusto ko lang ng order para maibalik ako sa serbisyo para matapos na ito, bababa na ako.”* (Sir, I just want an order reinstating me in the service so this will end and I will step down from here.)

Extract 7 demonstrates the central or primary demand of Mendoza that an Order be issued for his immediate reinstatement to the police service. In fact, his only intention was to draw the attention of his superiors and the Ombudsman so that he would be reinstated promptly. He believed that his dismissal was truly unfair as due process was not observed.

Extract 8

HT: *“Sige sir, baka puwedeng maipadala itong mga papeles ko sa Ombudsman at sa DOJ, kay Secretary De Lima, para mamaya lang ay malaman ko ang sagot.”*  
(Alright sir, maybe you can send these documents to the Ombudsman and to the DOJ, to Secretary De Lima, so that in just a while I will know the answer).

Extract 8 is a good example of a peripheral substantive demand. The explicit meaning of the utterance is to request the negotiator to send the documents to the pertinent office to facilitate

the process of his reinstatement. For peripheral substantive demand, implicit meanings are not a consideration.

Finally, *face* is the component used the least in the negotiation process. As defined by Hammer (2008), it is “a set of coordinated practices in which communicators build, maintain, protect, or threaten personal dignity, honor, and respect” (p. 53). In essence, face is about how individuals who wish to be perceived by others are grounded in a desire to maintain a positive social expression of oneself. Face is of central concern during conflictual interactions as reflected in the following extracts:

Extract 9

HT: “*Sorry, hostage ko na kayo ngayon.*” (*Sorry, you are now my hostages.*)

Extract 10

H8: “*Pakibilisan na lamang, sir.*” (*Just be quick, Sir.*)

In Extract 9, it can be noted that due to the feeling of hopelessness, Mendoza resorted to hostage-taking. As a former police officer, he knew very well that this is a crime punishable by law. In spite of such orientation, he opted to take the easy but risky and dangerous route to find a solution to his problem instead of filing an appeal for his reinstatement. His statement: “Sorry, you are now my hostages” no longer takes into consideration the situation of other people even if it meant posing a threat to their security as non-Filipinos in a foreign land. Knowing that his hostages were foreign nationals, Mendoza used them as his bargaining chip to get even with his superiors and relevant government authorities. This act of Mendoza represents a threat to another individual’s expectations regarding self-image and is therefore a face-threatening act.

In contrast, Extract 10 is a face-saving act. While Mendoza was clear with his pronouncement that he was taking the Hong Kong nationals as hostages, there were instances that his orders for the negotiating party were marked by shades of politeness as reflected in the last extract. The use of *paki-*, a Tagalog prefix, is attached to the root word *bilis(an)* which means ‘to make fast’. *Paki-* means ‘kindly’ in English which spells respect for authority. As Mendoza made his command, he still acknowledged the superiority of the people acting as negotiators. As a former police officer, although disgruntled, he was still aware that his highest duty was to respect authority and those in charge. Further, his use of the politeness term *Sir* proved that he acknowledged that the negotiators were of higher rank. Clearly, this is an example of a face-saving act where he tried to establish a good self-image. Mendoza showed that while he was engaged in a criminal act, he, however, was not a complete package of hostility and resentment. With this finding, it can be noted that Mendoza exhibited inconsistency in his behavior, both verbal and non-verbal.

### HOSTAGE-TAKING IN THE PHILIPPINES

Prior to this incident, the Philippines enjoyed close economic ties with Hong Kong. Filipinos were granted visa-free access to Hong Kong and oil- and gas-rich waters were apportioned to both countries (Li, 2014). Since no formal apology from the Philippine government was issued after this unfortunate incident, Hong Kong imposed sanctions on the Philippines (Woodhouse, 2014) and there was an abrupt decline in economic relations between the two countries including with

Beijing. When President Duterte assumed the presidency, he formally made a public apology to the Chinese government in 2018.

This Rizal Park Hostage-Taking Incident (RPHI) influenced the attitude of the Philippine government towards crisis negotiations. As a consequence of the August 23, 2010 incident, a hostage negotiation handbook was crafted by the Philippine National Police (PNP) in 2011. This now serves as a guide on how to properly handle hostage-taking incidents and crisis negotiations. According to Atty. Josefino G. Cataluna:

“The Handbook provides standard policies, procedures, guidelines, and techniques for PNP negotiators to ably address any hostage or crisis situation, including kidnapping and similar acts of terrorism, to prevent operational lapses and ensure successful crisis management” (PNP Hostage Negotiation Handbook, 2011, p. iv).

Police Deputy Director General Benjamin Belarmino stated that the hostage-taking incident in 2010 underscored the importance of having crafted a practical manual to avoid such unfortunate events (PNP Hostage Negotiation Handbook, 2011). It can then be presumed that the Philippines did not have a crisis negotiations manual prior to the incident.

Furthermore, memorandum circular no. 081 on PNP Critical Incident Management Operational Procedures was revised and released in November 2020. It prescribes the policies and general procedures in handling critical incidents to guide the PNP offices/units at all levels in addressing different crisis situations. It likewise discusses the incident management procedures and the organization of the Critical Incident Management Committee (CIMC), Critical Incident Management Task Group (CIMTG) and Disaster Incident Management Task Group (DIMTG).

## CONCLUSION

With the dearth of studies conducted on hostage-taking negotiations, it is hoped that this study would be a welcome addition to forensic linguistics. Having no empirical investigation done on this infamous incident that took place more than a decade ago, this research attempted to apply three frameworks that elicited insights explaining why the negotiation between the hostage-taker and the negotiators failed. To begin with, the stages in the negotiation process were examined using the DIAMOND model which revealed that some stages were missed out. With the seven-staged model, it was found that only three stages were employed and these were: 1.) Stage M (Methods of Communication); 2.) Stage O (Open Dialogue with Subject); and 3.) Stage A (Assessment of Risk and Threat). The other phases were completely left out and these were: 1.) Deployment; 2.) Information and intelligence gathering; 3.) Negotiator toolbox and repertoire; and 4.) Debriefing procedures. Furthermore, the three stages did not take place in sequential order. Instead of Stage A taking place prior to Stage M and Stage O, Stage A was employed first. The recurrence of these stages likewise revealed that the tactics did not work, thus, a re-employment of some of these stages. The exclusion of the other stages, the employment of only three stages and their recurrence as well as the absence of their sequential order may have contributed to the failure of the negotiation. Another important variable is the relationship-building process. In examining this process, the BCSM (model) initiated by the FBI observes the following stages: 1.) Active listening; 2.) Empathy; 3.) Rapport; 4.) Influence; and 5.) Behavioral change. Of these five, only three were employed and were observed to be not in sequential order. The first stage employed by the negotiators was Stage 3 (Rapport) as it appeared that the hostage-taker and the

negotiator somehow knew each other. While this may be a plus factor, the negotiators kept asking the same open-ended questions. Thus, while active listening came as the second stage, supplemental active listening was utilized more than core active listening. The last stage was Stage 4 (Influence). While there was an instance when the negotiator was able to influence the hostage-taker to release some hostages, it should be noted that it was not a complete success as no complete change happened in the behavior of the hostage-taker. In fact, towards the end of the negotiation, damage to human lives became evident. The third and last framework applied to the corpus was the S.A.F.E model with four components: 1.) substantive demands; 2.) attunement; 3.) face; and 4.) emotional distress. While all were found to be employed in the negotiation process, attunement followed by emotional distress topped the list. It can be inferred that even in crisis negotiations, both parties expect cooperation from each side and a consideration for their well-being. This should be the direction to avoid any harm on anyone. As hostage situations allow the hostage-taker to take control over other persons against their will, it should be expected that the situation is one that is characterized by hostility and violence causing emotional distress not only to the hostage/s but also to the hostage-taker.

While these findings may not be conclusive, there is perhaps a grain of truth in them. The stages specified were crucial in the attainment of a successful negotiation and missing out on one or more of them would definitely impact on the results of the negotiation. As there are other frameworks available, these may likewise be tested to see their applicability to the Philippine context. It is highly recommended that these models serve as the backbone of the investigation of other crisis negotiations in the country to further validate the findings yielded not only by this study but other foreign studies. This way, a modification in the crime management system can be effected and a system can be established to be able to respond more efficiently and effectively during crisis negotiations.

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