

The Official Publication of the Foundation for Liberty & Prosperity

Professorial Chairs Program Launched

The Foundation for Liberty and Prosperity formally launched the ten “Chief Justice Artemio V. Panganiban Professorial Chairs on Liberty and Prosperity” on September 18, 2012 at the Metrobank Auditorium, Metrobank Plaza, Gil Puyat Avenue, Makati, with Chief Justice Maria Lourdes P. A. Sereno as guest of honor and speaker.

Seven of the ten recipients received their “Certificates of Entitlement” and “Plaques of Recognition” from Chief Justice Sereno, Retired Chief Justice Artemio V. Panganiban (FLP Chair), Dr. George S. K. Ty (Chairman of the Board of Trustees of the Metrobank Foundation which co-sponsored the project) and Mr. Jose Maria Lim (President Metro Pacific Investments Corporation, another sponsor).

The recipients are (in alphabetical order) retired Supreme Court Justice Adolfo S. Azcuna (Chancellor of the Philippine Judicial Academy), Dean Andres D. Bautista (Far Eastern University Institute of Law), Dean Sedfrey M. Candelaria (Ateneo De Manila School of Law), Dean Danilo L. Concepcion (University of the Philippines College

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(Photo) From left to right are Philippine Judicial Academy Chancellor Adolfo Azcuna, Far Eastern University Law Dean Andres Bautista, Ateneo de Manila Law Dean Sedfrey Candelaria, Metrobank Foundation Chairman George Ty, Retired Chief Justice Artemio Panganiban, Former President Fidel V. Ramos, Chief Justice Maria Lourdes Sereno, Metro Pacific Investments Corporation President Jose Ma. Lim, University of the Philippines Law Dean Danilo Concepcion, De La Salle University Law Dean Jose Manuel Diokno, University of Santo Tomas Law Dean Nilo Divina, and Arellano Law Foundation Chairman Eduardo Nachura.

First Female Chief Justice

Lawyer-academician Maria Lourdes P. A. Sereno was appointed on August 16, 2010 as the 169th Justice and on August 24, 2012 as the 24th Chief Justice of the Supreme Court. Born on July 2, 1960, she is the youngest to be so appointed to the SC in this century. She may also be one of the longest-serving ever, as she is to mandatorily retire in 2030 after serving a 20-year term.

She earned an Economics degree at the Ateneo de Manila University, and a Bachelor of Laws degree at the University of the Philippines. After graduating valedictorian from the UP College of Law in 1984, Chief Justice Sereno joined the largest law firm in the country. Choosing to spend more time with her two young children and her husband, she opted to leave the law firm in 1986.

She served nearly 20 years as a professor at the UP College of Law, where she led and administered two institutions based in the UP Law Center – the Institute of International Legal Studies and the Information and Publication Division. At one point, she also became Deputy Commissioner of the Commission on Human Rights and was partly responsible for writing the organizational plans for the Commission. She has also taught at the Philippine Judicial Academy and several international academies.

In 1992, Chief Justice Sereno was awarded a De Witte Fellowship and a Ford-Rockefeller Scholarship to pursue her Masters of Laws at the University of Michigan, Ann Arbor, where she developed her proficiency in law and economics and international trade law.

At the age of 38, she was appointed as legal counsellor at the World Trade Organizations' Appellate Body Secretariat in Geneva. At the age of 39, she was chosen as the only female member of the 1999 Preparatory Commission on Constitutional Reform where she was elected Chairperson of the Commission's Steering Committee. In the same year, together with Former SC Justice Jose Campos, Former PCGG Commissioner Haydee Yorac, and other professors from the UP College of Law, she co-founded Accesslaw, a corporation that provided the first annotated electronic research system in Philippine law.

Access to justice is one of the centerpiece advocacies of Chief Justice Sereno. The United Nations Development Program commissioned her to write a paper on judicial reform, which would eventually become the basis for the first external reform program that was welcomed by the Supreme Court.

Believing in what she could deliver for justice and judicial reform, President Benigno C. Aquino III made her his first appointee to the Supreme Court. •

Reproduced from: [Supreme Court of the Philippines Website](http://sc.judiciary.gov.ph/aboutsc/justices/cj-sereno.php)
[http://sc.judiciary.gov.ph/aboutsc/justices/cj-sereno.php]

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of Law), Dean Jose Manuel I. Diokno (De La Salle University College of Law), Dean Nilo T. Divina (University of Santo Tomas Faculty of Civil Law), and retired Supreme Court Justice Eduardo B. Nachura (Chairman, Arellano University Law Foundation). Soon, three others will be chosen from the top law schools in Luzon, Visayas and Mindanao.

In her keynote address, Chief Justice Sereno said that, by sponsoring the professorial chair program, the FLP



will be able **“to enhance the dialogue on the very complex relationship between an individual’s right to liberty and the concomitant value of prosperity under the rule of law.”**

“The underlying pillar of our economic system must depend on the rule of law. When the courts decide on issues involving the allocation of resources, they basically assume the predictability of their outcome. At least this is in the sense that if a person buys an object through legal means, his or her ownership will be upheld by the law,” she added.

In his response on behalf of the recipients, Ateneo de Manila Law Dean Sedfrey M. Candelaria expressed “our hope that the lectures and activities in the subsequent months and years will create a ripple effect and promote a paradigm that will find its way to judicial service, continuing legal education, but

more importantly, with the concomitant impact on the daily lives of our citizens.”

Retired Chief Justice Panganiban introduced Chief Justice Sereno while former Cabinet Secretary (during the term of President Corazon Aquino) Aniceto M. Sobrepena welcomed the guests and explained the many educational projects of the Metrobank Foundation, which co-sponsored the project.

Three FLP Trustees, namely, Retired Chief Justice Hilario G. Davide Jr., Business Icon Washington Z. Sycip and Former Secretary of Education Edilberto C. de Jesus, formally launched this FLP Website to the delight of the audience.

The launch ceremonies were began with an invocation by Attorney Joel Emerson J. Gregorio,

FLP Trustee and Corporate Secretary while Professor Maria Theresa P. Manalac, another FLP Trustee, delivered the Opening Remarks.

The Kilyawan Boys Choir provided two intermission numbers by singing “The Newsboy,” composed by Ryan Cayabyab with lyrics by Kristian Jeff Agustin especially for the 75th birthday celebrations of Chief Justice Panganiban last December at the Meralco Theater, and “May Bukas Pa.”

FLP Executive Vice President and Asian Development Bank Consultant Evelyn T. Dumdung and FLP Trustee and Professional Regulations Commissioner Jennifer J. Manalili were the Masters of Ceremonies.

The Metrobank Foundation hosted snacks and drinks after the program. •



THE FLP: A BRIEF BACKGROUNDER

The Foundation for Liberty and Prosperity (FLP) aims to perpetuate the core judicial philosophy of Chief Justice Artemio V. Panganiban (Ret.) that jurists and lawyers should not only safeguard the liberty of our people but must also nurture their prosperity under the rule of law. To him, justice and jobs; freedom and food; ethics and economics; democracy and development; nay, liberty and prosperity must always go together; one is useless without the other. The attainment of this dual goal involves an understanding of the intertwining relationship of law and business; and of regulation and entrepreneurship.

The Foundation for Liberty and Prosperity was formally organized as a juridical person when the Securities and Exchange Commission issued its Certificate of Incorporation on October 27, 2011.

Its Board of Trustees is composed of Artemio V. Panganiban, Elenita C. Panganiban, Hilario G. Davide Jr., Washington Z. Sycip, Edilberto C. De Jesus, Jennifer J. Manalili, Maria Elena P. Yaptangco, Maria Theresa P. Manalac, and Joel Emerson J. Gregorio.

Elected as its first batch of officers were Artemio V. Panganiban, Chairman of the Board, Maria Elena P. Yaptangco, President;

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Evelyn T. Dumdum, Executive Vice President; Elenita C. Panganiban, Treasurer; and Joel Emerson J. Gregorio, Corporate Secretary. Elected chair of the various standing committees were Artemio V. Panganiban (Executive Committee), Washington Z. Sycip (Finance), Hilario G. Davide Jr. (Governance), and Edilberto C. De Jesus (Education).

Mr. Chief Justice Panganiban formally and publicly launched the Foundation during his 75th Birthday Celebrations during which an original musicale titled “Ageless Passion” was staged at the Meralco Theater in Pasig City on December 20, 2011, featuring six original musical compositions (plus an overture) of Ryan Cayabyab. During his address, he said FLP aims to perpetuate his core judicial philosophy that jurists and lawyers should not only safeguard the liberty of our people but must also nurture their prosperity under the rule of law. To him, justice and jobs; freedom and food; ethics and economics; democracy and development; liberty and prosperity must always go together; one is useless without the other. The attainment of this dual goal involves an understanding of the interlocking relationship of law and business, and of regulation and entrepreneurship.

Mr. Chief Justice Panganiban believes that in litigations involving the civil liberty of our people, the scales of justice should weigh heavily against the government and in favor of the people, pursuant to the doctrine of strict scrutiny. But in matters affecting the economy of the country and the prosperity of our people, courts – in the absence of grave abuse of discretion – must defer to the Executive and Legislative Branches of government, in accordance with the principle of deferential interpretation of

laws and executive issuances. The responsibility for promoting and developing the country’s economy rests primarily on its political leaders. Should they fail in this duty, our people can replace them during periodic elections.

He also believes in private enterprise as the engine of economic growth. Thus, government must promote entrepreneurship and encourage private capital. At the same time, the government has the duty of overseeing the fair and equitable distribution of private wealth to all our people,

especially the poor and marginalized. The government, likewise, has the responsibility of enlarging the areas of economic growth for the benefit of future generations of Filipinos. Thus, the economic pie must not only be fairly divided but must also be enlarged so that more benefits could be spread to more

people under the social justice principle of giving more law to those who have less in life.

To achieve its goals, the Foundation shall organize and/or support the following projects and activities: (1) legal assistance, legal research and legal aid; (2) seminars, workshops, trainings, classes, debates, moot courts, oratorical jousts, and other forms of instruction; (3) professorial chairs, educational scholarships and fellowships; (4) curricula on liberty and prosperity under the rule of law; and (5) a Center for Liberty and Prosperity.

As first major project, the Foundation sponsored 10 Professorial Chairs in nine of the leading law schools in the country and one in the Philippine Judicial Academy. The program immediately merited co-sponsorships from the Metrobank Foundation and the Metro Pacific Investments Corporation. •



Dean Candelaria of the Ateneo Law School delivers first professorial lecture

On September 19, 2012, Professorial Chair recipient Dean Sedfrey M. Candelaria delivered his first lecture, “Finance & Law: Understanding the Institutional and Functional Role of the International Monetary Fund (IMF) During Sovereign Debt Crisis Situations” - the first in a series of Liberty & Prosperity professorial lectures yet to be fulfilled - at Justitia, 4th Floor, Ateneo Law School.

Dean Candelaria’s discussion opened with a brief survey of the existence of sovereign debt crisis since time immemorial, which he challenged by comparing it to floods in Manila and asking how people could cope with it.

His second major discussion concentrated on the history of the involvement of the International Monetary Fund (IMF) on sovereign debt renegotiations. Parallels from the early stages of state insolvency and reaction of the International community to how debtor countries are actually “made to behave” were likewise drawn out. From these two salient points, he moved to a discussion of “the new era of crises”, with a context of countries which are very protective of their sovereign rights such as the Asian Tiger economies and the Eurozone, as exemplified by comparisons in currencies.

Dean Candelaria’s final points threshed out references to human rights standards and how society can actually achieve (in the context of what we



call adjustment progress) respect for fundamental economic rights of people without having to sacrifice civil political rights. According to him, when adjustment programs had to be required for purposes of actually reconstructing economies that are emerging out of what we might call deep financial crisis, it hurts to rebuild an economy especially in other situations like transition societies (such as countries in Sub-Saharan Africa and Latin America which have experiences of authoritarian regimes, where debts are increasingly being questioned).

An engaging open forum followed the meaty discussion, encouraging several students to raise questions and extend the discussion to make the issue more relevant to their fields.

Distinguished guests include former Chief Justice Hilario G. Davide, Jr., Chief Justice and Mrs. Panganiban, Metrobank Foundation President Mr. Aniceto M. Sobrepeña, Dean Nilo Divina (University of Santo Tomas Faculty of Civil Law), and Dean Andres Bautista (Far Eastern University Law). Apart from Ateneo School of Law faculty members, a good number of law students attended the lecture with much enthusiasm.

Dean Candelaria’s lecture in video (including a transcription) can be viewed at www.libpros.com, the official website of the FLP. Online reposts and comments are highly encouraged. •

*“The Newsboy”
The Kilyawan Boys Choir
featuring Ruiz Sison*



By Artemio V. Panganiban

With Due Respect - *Philippine Daily Inquirer*
(First published December 25, 2011)

It started with a modest attempt to stitch together my favorite songs—classical, Broadway and popular—to celebrate my 75th birthday. It was to be held at home with a string band and the choirs of the Supreme Court and the Asean Law Association singing before 120 relatives and close friends.

Libretto of life.

However, during the planning meeting organized by my former Supreme Court staff led by Ismael Khan Jr., Jennifer Manalili and Joel Gregorio last August, Kristian Jeff Agustin, who used to prepare my PowerPoints, surprised everyone by submitting, without being asked, a libretto of poems and lyrics. The libretto romanticized my life’s cycle of ups and downs as a former newsboy, shoeshine boy, student leader, practicing lawyer, law professor, Catholic lay leader, Supreme Court jurist and presently independent director/adviser of some listed corporations. Jeff is now a scholar at the University of Westminster in London studying for his master’s degree in visual culture.

Our family friend Eduardo Yap, who has produced memorable musicales, was so impressed with the libretto that he showed it to Ryan Cayabyab, probably the best music composer of our time. The famous maestro liked it too and created in just seven weeks seven original Broadway-type musical compositions for the Agustin lyrics.

Then, Donna May Lina Flavier (our vibrant producer) enticed her parents, Alberto and Sylvia Lina, to sponsor the Manila Symphony Orchestra under the baton of Arturo Molina to play the Cayabyab compositions and to accompany the full cast led by Al Gatmaitan, Jun Eufacio, Red Nuestro, Ruiz Sison, Cris Villonco and Ruben Uy. Donna also asked multi-awarded Bart Guingona to direct the show.

Good news, bad news.

Thus was born “Ageless Passion” which was staged last Dec. 20 at the Meralco Theater. President Aquino skipped it to visit and tend to the flood victims in Mindanao. However, Vice President Jejomar Binay, former Presidents Fidel Ramos and Joseph Estrada, Archbishop Chito Tagle, Cabinet secretaries, members of Congress, Supreme Court justices, the ombudsman, Comelec commissioners and business titans stayed with 800 others at the huge theater.

“Ageless Passion” began with a narration of one of my favorite stories (also the late Jaime Cardinal Sin’s favorite):

Long ago, in the Middle Ages, there lived in a small European village, a farmer, his wife and their 20-year-old son. Using their horse, the farmer and his son tilled the fields.

One day, the horse ran away to the mountains. The villagers went to the farmer and said, “Bad news for you. Your only means of livelihood is gone. You have no more horse to help you till your fields.” The farmer answered,

*"Son, Listen to My Words"
Al Gatmaitan and Red Nuestro*

Cris Villonco



"Good news, bad news, I will just keep on doing my best and God will do the rest."

A few days later, the horse came back with 10 other wild horses. The villagers again visited the farmer and exclaimed, "Good news for you. You have now 11 horses, the most number in our village." The farmer responded, "Good news, bad news. Who knows? I will just keep on doing my best and God will do the rest."

Three days later, the farmer's son mounted one of the wild horses. Unfortunately, he was thrown off and broke a leg. Again the villagers went to the farmer, "Bad news for you, your only son is now lame; he cannot help you till your farm." Again the farmer replied, "Good news, bad news, who knows? I will just keep on doing my best and God will do the rest."

Then the kingdom went to war and the king conscripted all the able-bodied men in the village, except of course the lame son of the farmer. Unfortunately, the kingdom lost the war and all the young men in the village were killed. The villagers again went to our hero. "Good news for you. You are the only one in our village with a son to succeed you. Bad news for all of us. No son will succeed us in our farms." The farmer responded "Good news, bad news who knows? I will just keep on doing my best and God will do the rest."

Kapuso to air musicale.

This good-news-bad-news story, which happens in everyone's life, was the musicale's underlying theme. It depicted my life-long transformations, and I quote, "from the poor newsboy in the backstreets of Sampaloc, Manila to the presidency of the Philippine Daily Inquirer; from an ignorant Catholic to an adviser to the Holy Father in the Vatican; from frustrated applicant for graduate studies to father of five wonderful children who each achieved his impossible dream of graduating in a pedigreed US university; from a shoeshine boy to the board rooms of the largest blue chips in our part of Planet Earth; and from a frustrated chemical engineer to a reluctant lawyer to the highest magistrate of the land..."

Permit me, at the risk of immodesty, to acknowledge during this Christmas Day of goodwill our five children, Len, Archie, Celine, Tet and Mabel, and our 10 grandchildren who all participated in the show. I could not believe their hidden acting and dancing talent.

Especially impressive was Miguel Panganiban Sandejas, our eldest grandchild, who played the major role of the narrator. And so were Rafa P. Yaptangco, the four Hannett girls, Patricia, Katrina, Victoria and Alexandra, and the two Mañalacs, Andrea and Nicole. Even my two youngest grandchildren, Joey and Matt Reagan, sent in their antics on video clips because they could not leave their home in New York. •

*Article courtesy of the Philippine Daily Inquirer
Reproduced from: Inquirer Opinion*

[<http://opinion.inquirer.net/19763/the-making-of-'ageless-passion'>]

*A complete coverage of the musicale can now be viewed on Youtube.
[http://youtu.be/tFpKP8_jeKA]*



“Katarungan” A Filipino Concept of Justice



Dean Jose Manuel I. Diokno, one of the first seven recipients of the “Chief Justice Panganiban Professorial Chair on Liberty and Prosperity” delivered his first lecture on November 5, 2012 at the Natividad Fajardo Hall of the Bro. Andrew Gonzalez Building at the De La Salle University College of Law.

Dean Diokno Discussed the Filipino concept of justice or “katarungan.” From there, he moved into what ails our judicial system and his proposed solutions. Basically, he said that our Rules of Court are based on the American system, which in turn is anchored on jury trial. This latter mode places high reliance on trial proceedings so as not to unduly influence the jury members who are not lawyers. In the Philippines however, trials are conducted and decided by judges who are knowledgeable in the law and need not be protected from media hype.

The lecture program included Welcome Remarks by La Salle Vice Law Dean Jocelyn Cruz, a Message from Metrobank Foundation President Aniceto Sobrepeña and Closing Remarks from FLP Chairman and retired Chief Justice Panganiban. •

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