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Should the Economic Provisions of the 1987 Constitution be Amended?

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The University of San Carlos (USC) School of Law and Governance and the University of Santo Tomas (UST) Faculty of Civil Law engaged in a formal debate in Cebu on 20 August, 2013. The event was spearheaded by FLP chair holder Atty. Joan Sarausos-Largo, Dean of the USC School of Law and Governance and hosted by the USC, at its CAFA Theatre. With the goal of arguing for or against the amending or removal of the economic restrictions held by the 1987 Philippine Constitution, the main argument tackled House Bill No. 1, which “seeks to revise the pertinent economic provisions of 1987 Philippine Constitution”, as proposed by Feliciano Belmonte, Speaker of the House of Representatives. This House Bill adds the statement “unless otherwise provided by law” as it recognizes the subjectivity of the economy.

The panel from the USC consisted of Mr. Vince Joseph Cesista (speaker on necessity), Mr. Glen Sotto (speaker on beneficiality), Mr. Alvin Clyde Gregorio (speaker on practicability), and Atty. Daryll Bretch Largo (coach). The team argued against the amending of the 1987 Constitution.



(Photo) Chief Justice Hilario G. Davide Jr. (Trustee, Foundation for Liberty and Prosperity), Fr. Dionisio Miranda (USC President), and Atty. Joan Sarausos-Largo (FLP Professorial Chair Holder and Dean, USC School of Law and Governance) with the debaters and coaches from USC and UST.

Arriving safely in Cebu amidst the pounding typhoon Maring and massive flight cancellations in Manila on the same day, the UST was represented by Kim Apple Carvajal (speaker on practicability), Ron Robbie Rosales (speaker on beneficiality), Rolando Asuncion (speaker on necessity), and Ricky De la Cruz (coach). Their group affirmed the proposed revisions to the economic provisions of the 1987 Constitution. •

No to Charter Change

Kim Apple Carvajal, Ron Robbie Rosales, and Rolando Asuncion
(UST Law Debate Team Position Paper)

Speaker Sonny Belmonte has just filed a resolution seeking for the complete liberalization of the Philippine economy thru Constitutional change. Belmonte wants to change the economic provisions of the 1987 Constitution, specifically, the 60-40% ownership of private property. He also wants to further allow foreign firms to own even public utilities. Speaker Belmonte's resolution would pave the way for the passage of new laws that would allow foreign investors to develop the country's natural resources, own lands or mass media companies, and get franchises to operate public utilities. The resolution would not amend the constitution to expressly allow foreign ownership of lands and businesses. Instead, it would insert the phrase "*unless otherwise provided by law*" after the charter's economic provisions that limit foreign investors' participation in economic activities. We oppose this charter change proposal.

Firstly, the Constitution is not the problem that causes poverty but corruption, wrong economic policies and lack of accountability for those that wield economic and political power. Therefore amending the Constitution cannot be the solution but in fact will only worsen the problem and increase poverty. Secondly, the economic premise of those proposing to take out constitutional restrictions is completely untrue because many of the economic miracles they cite are countries that also have restrictive or protectionist provisions. The proposal to give aliens 100% ownership to land, public utilities, and natural resources among others will result in extremely high prices and more poverty because even the supposed economically booming countries do not allow the same liberalization. Thailand requires 51% Thai ownership of its public utilities such as electricity and energy; Australia requires 65% Australian ownership of its telecommunication; Brazil requires 49% Brazilian ownership of its lands. In fact aliens are totally prohibited from owning land in China, and yet China has registered the fastest rate of economic growth at an average of 10% over the last ten years. On the other hand, countries like Nepal, Mongolia and Cambodia which allows unrestricted foreign ownership remains poor.

Thirdly, their proposed charter change by simply inserting the phrase "*unless otherwise provided by law*" after the charter's economic provisions is very dangerous and opens the Constitution to the whims of Congress. The proposed charter change will render the Constitution subordinate to laws enacted by Congress. This cannot be countenanced.

The Constitution is the highest law of the land. It is "the basic and paramount law to which all other laws must conform and to which all persons, including the highest officials of the land, must defer. No act shall be valid, however noble its intentions, if it conflicts with the Constitution."¹

Yes, we need foreign capital but up to a certain point. What we need is a vibrant economy. That would happen if the consumer market feels strong confidence on our economy and strong purchasing power. Local capital is enough to sustain growth.

Look at the landscape and we have hundreds even thousands of successful Filipino entrepreneurs who are actually conquering not just here but regional markets. If we allow more foreign capitalists here, we will be allowing more competition and possibly more chances of killing local capitalists. This constitutional provision actually protects local entrepreneurs, and gives them an advantage. Without this provision, how then will they compete with foreign capitalists who have more monies than them?

Poverty can be eradicated through efficient use of our resources. How can we efficiently manage our resources if we allow foreign ownership and management of these? Likewise, if we sell utilities and other things, how then can we develop industries? Complete liberalization of the economy is simply not necessary at this point because the state does not have a modern and fully developed infrastructure. We will be completely overwhelmed and over run by foreign capital should we allow full liberalization at this point in time.

The proponents seek to amend the Constitution to supposedly spur economic growth. But at what cost? At the cost of selling the Filipino people to become slaves to foreign masters, of

rendering the majority of the Filipino people mere tenants in what would then be foreign-owned Filipino lands, and of leaving our lands exploited and barren of supposedly Filipino-owned resources; all these, so that, at the end of the day, these foreign masters can enrich their own states.

We believe that changing the charter is not the answer. The key to our country's development is already found in our present Constitution; it's just a matter of implementation.

Article II, Section 19 of the 1987 Constitution provides: "The State shall develop a self-reliant and independent national economy effectively controlled by Filipinos." In promoting the Philippine economy, the Constitution mandates the State to promote the preferential use of labor, domestic materials and locally produced goods, and adopt measures that help make them competitive.² The State is further mandated to promote the sustained development of a reservoir of national talents consisting of Filipino scientists, entrepreneurs, professionals, managers, high-level technical manpower and skilled workers and craftsmen in all fields.³ Clearly, the present Constitution espouses State-support to the Filipino people and Filipino-owned businesses. That is precisely what we need.

Our country is fortunate enough to have all ingredients necessary for economic development. We have abundant resources, labor and capital; we just fail to recognize it, and even if we recognize it, we fail to make good use of it.

First, we have abundant mineral resources. But who benefits from these resources? While we have limited the exploration and exploitation of our country's resources to Filipinos, countries like China and South Korea, for instance, are the end users of these resources. Our country could have used these resources to benefit the majority of the Filipinos. Case in point, our abundant coal supply which could be used to generate cheaper energy for Filipinos are being sold to other countries in exchange for very little monetary benefits which do not even trickle down to the majority of the Filipinos.

Second, our country's abundance in labor resources is undeniable. The State, however, has forced the diaspora of our labor force because it fails to provide enough employment opportunities in the country.

Finally, believe it or not, we have sufficient capital to jump start our economic development. Filipino capital, while in the hands of a few

individuals, is, nonetheless, Filipino-owned capital which can supply the country's needed investments for our country's development. Capital, which could generate employment in our country.

Amending the Constitution with the end goal of attracting foreign investments in our country is not the solution to this diversion of Filipino capital to other states. Instead, such a move will only scare off our own capitalists away, together with all hopes of a self-reliant and independent economy controlled by Filipinos.

What we really need is to make our country more conducive for investments so that Filipino-owned capital would remain in the Philippines to jump start our development without having to depend on foreign investment. If our State is able to provide incentives to foreign investors, more so should our State provide incentives to its own capitalists to encourage them to help in developing our economy instead of diverting Filipino-capital to other countries. This does not entail an amendment of the Constitution. This only takes an implementation of the already in place State policy of developing "a self-reliant and independent national economy effectively controlled by Filipinos."⁴

In any attempt to change the Constitution, we have to understand that fundamental laws are not only legal documents; they are first and foremost products of political struggle about competing goals.

The attempts to revise the 1987 Constitution have its merits and demerits. The important thing is that all proposals and the manner of amending the basic law must be shared with the people.

The present proposal for charter change, however, is simply not necessary, not beneficial, and not practicable. •

¹ Cruz, *Constitutional Law*, 2003, p. 4.

² 1987 Constitution, Article XII, Section 12.

³ *Id.*, Article XII, Section 14.

⁴ *Id.*, Article II, Section 19.

LIBRT, The 1987 Constitution be amended so as to allow the adoption of liberalized economic policies by Congress

Vince Joseph Cesista, Glen Sotto, and Alvin Clyde Gregorio
(USC Law Debate Team Position Paper)

As we stand on the brink of a tectonic change in our society, with the adoption of the ASEAN integration that will pave the way to a borderless country, Team University of San Carlos is of the firm belief that our Constitution must be open to change and must be responsive to the economic highs and lows that are bound to arise.

With this, we propose that the Belmonte Proposal or House Bill Number 1 of the 16th Congress be adopted. The proposal grants Congress the right to determine necessary changes to the Constitution by putting the phrase “as may be provided by law” in Sections 2, 10 and 11 of Article XII of the 1987 Constitution, thereby removing the need for extensive and expensive Constitutional amendments and/or revisions if in the future we deem it necessary to restrict or liberalize our economic provisions. Some of these provisions are 40% foreign ownership on natural resources, restrictions on private use of alienable lands to public domain, 40% foreign ownership in certain areas of investments as defined by Congress, ban of foreign ownership of media, and the limits on advertising.

We submit that there is a substantial distinction between economic provisions and the other provisions of the Constitution dealing with government structures and declaration of policies. The 1987 Constitution is a rigid one and to be able to change it, an exhaustive process is required. While such rigidity has a value in cases of those principles which make our Republic as it is, such as Republicanism, democracy, bicameralism and the like, the economic provisions, however, must be easily changed to adopt to the changing economic times. The market is a volatile, fluid field, and there is strong disconnect when the provisions dealing with this most volatile aspect of our nation’s life

are placed in the Constitution, the most permanent, fundamental document of our land.

Economy, as we all know, is a result of a set of processes that involves culture, education, technological evolution, political structure and even the legal system. These factors give context, content, and set the conditions and parameters resulting to the rise and fall of the economy which will demand from any prudent country economic policies flexible and malleable enough to respond to these fluctuations and thereby allow the sustenance of its economic growth.

Germany, the driver, innovator, and beneficiary of an ever more globalized economy and is considered to be the largest economy in Europe has a constitution that does not fix economic policies but rather permits legislators to enact laws responding to the immediate necessities of its economy. Our neighboring Southeast Asian countries like Indonesia, which has the largest national economy in Southeast Asia, upholds in its Constitution the policy-making approach to respond to the changing needs of its economy. Thailand, the second-largest economy in Southeast Asia, fosters in its Constitution the promotion of free and equitable economy by repealing and refraining from enacting business control laws and regulations which do not correspond with the present economic necessities. In fact, other than to say that the goal of economy is “to promote a free and fair economy based upon market force and encourage sustainable economic development”, the Thai constitution, as with the Constitution of other countries cited, has refrained from inscribing in its permanent page specific economic policies.

We submit that the evil in the present set-up is not the 60-40 ratio on capital in our Constitution.

The evil is in putting that percentage that determines the life of our volatile economy in the Constitution, the most rigid document in our legal institution.

What is glaringly obvious is this: the 1987 Constitution presupposes that the economic provisions are applicable at all times and under all circumstances. However, this is not the reality. In the financial crisis which ensnared Asia in 1997, the country was in desperate need of more foreign investors. At that time, the prerogatives of Congress to adopt certain economic policies which can cushion the blow of the crisis and attract more foreign investors was greatly stifled by the inherent limitations in the Constitution which, again, is unchanging and unadaptable.

We need to empower our present representatives to come up with policies that will sustain the very survival of the economic life of the country. We need to amend our Constitution so as to allow Congress to adopt measures to adopt liberalized policy if it deems fit, beneficial and necessary. •

RECASTING LIBERTY AND PROSPERITY IN PHILIPPINE LIFELONG LEARNING

Patrick Alcantara

Understanding liberty and prosperity in a judicial sense involves appreciating the goals of upholding democracy and development in a modern society. These goals are more pronounced in emerging economies such as the Philippines, where an acute need for deepening democratic participation and fostering economic growth exists. Lifelong learning shares these goals by expressing these in terms of citizenship education and skills provision. While policy-makers and educators have routinely focused on basic education as the locus of such an enterprise, it is necessary to explicitly frame citizenship education and skills provision in higher education and lifelong learning. The author explores this argument by giving service learning in higher education as an example where liberty and prosperity can be explicitly framed as learning for citizenship and work competencies.

The main argument of this work builds upon the judicial philosophy of liberty and prosperity. With the law being referred to as an “external deposit of our moral life”¹, it expresses the values of our people. As such, a commitment to political liberty and economic prosperity implies deploying our collective values – the law – in safeguarding human rights as well as alleviating poverty². This requires a stable, impartial judiciary that can enforce the rule of law, complemented by appropriate legislation and executive action³.

Nonetheless, this work argues that judicial fiat, legislation nor executive action would be enough to uphold the ideals of liberty and prosperity. These ideals have to be enculturated in our people, and education is the means of socializing individuals into appreciating the value of liberty and prosperity in a modern society. While policy-makers and educators have routinely focused on basic education, the rise of the modern knowledge-based economy challenges us to reconsider a lifelong approach to learning. Hence, I will make the

Schedule of Upcoming PROFESSORIAL LECTURES

3 OCTOBER 2013

*“The Indigenous Peoples Rights Act:
A Vehicle for Liberty and Prosperity”*

Atty. Reynaldo U. Agranzamendez

Dean, College of Law

University of the Cordilleras, Baguio City

29 NOVEMBER 2013

*“Comparative Analysis of the Memorandum
of Agreement on Ancestral Domain and the
Framework Agreement on the Bangsamoro”*

Atty. Sedfrey M. Candelaria

Dean, Ateneo Law School

Ateneo Professional Schools, Rockwell Center

main argument recasting liberty and prosperity from a lifelong learning (LLL) perspective. This argument underpins an assumption that judicial reforms can thrive in an environment where the rule of law and economic development is assured through lifelong learning.

I will back up this argument in the following fashion. A short discussion elaborating on the ideals of liberty and prosperity, as well as LLL in the Philippine context, will be made in order to interrogate current literature and developments in the field. This will be linked to the argument reinterpreting liberty and prosperity as citizenship education and skills provision involving work-related competencies in the LLL setting. This argument will be explored further by elaborating on service learning, which is seen as a pedagogical tool that combines citizenship education and skills provision. Opportunities for adopting service learning (SL) in higher education and legal training conclude this work.

In the end, this work aims to accomplish the following goals: (1) advance the judicial philosophy of liberty and prosperity as a workable paradigm towards social justice and social progress; (2) propose the extension of LLL provision in ensuring social cohesion and economic competitiveness; (3) explore pedagogical tools that propagates values and competencies essential to work; and (4) contribute to the ongoing discourse on liberty and prosperity, and extend it beyond law and jurisprudence.

On liberty and prosperity as judicial ideals

Safeguarding personal and political liberties has been familiar territory for the courts. In times of overreach by governments, citizens have turned to courts in order to interpret laws and uphold freedoms. In the liberal democratic tradition, this has instituted freedoms such as the right to expression, a free press, universal suffrage, peaceful assemblies and worship⁴. In today's context where religious fundamentalism and terrorism are perceived as threats to national and global security, freedoms are continuously calibrated by the courts. Current events such as the US government's internet and phone surveillance program, as revealed by former national security contractor Edward Snowden⁵, come into mind as courts grapple with balancing personal liberties with national security.

Ensuring economic prosperity is argued to be less perceived as a concern by courts⁶. However, it is also asserted that a mandate for such exists⁷, given international accords that enshrine economic, cultural and social rights⁸. This is further strengthened in the

Philippine context by a constitutional mandate to the State to "promote a just and dynamic social order that will ensure prosperity... and free the people from poverty."⁹ As such, this begs a responsibility for the courts to interpret laws within that given framework.

The duality of liberty and prosperity is underscored in the judicial philosophy advocated by former Chief Justice Artemio Panganiban, who argued for championing these values in decisions made by the courts. This philosophy is marked by an adherence to the rule of law, a basic deference to the prerogatives of other branches of government, and an appreciation of the relationship between regulation and entrepreneurship¹⁰. This translates to a pragmatic application of the law in order to foster a favorable economic climate while ensuring the protection of liberties and the provision of substantive justice. This represents a leap from traditional legal thinking, which often places the law on a pedestal and apparently separates it from a larger socio-economic context. Upholding liberty and prosperity then remedies that flaw, and can present interesting consequences on the application of the law.

Lifelong learning (LLL): General assumptions within a specific Philippine context

Lifelong learning (LLL) has been defined in terms of a shift away from organizing education in youth to including all stages of the lifespan¹¹. This is seen as an important consequence to the rise of the knowledge economy, where innovation far outstrips formal education provision, and there exists a need to continuously learn and re-learn throughout life¹². The presence of ageing societies in advanced industrial economies also provides an additional challenge to utilize all available human capital for productive activity. Lifelong learning, therefore, is a response to this context and focuses on developing post-compulsory education and training.

While LLL and its implementation remains a contested field owing to different international agendas¹³, it is still an emerging discipline in the Philippines. There is a lack of common understanding and consciousness about LLL, and policy is usually the sum of separate programs such as technical-vocational education and training (TVET) provision by the Technical Education and Skills Development Authority (TESDA), distance learning by the Commission on Higher Education (CHED), and equivalency programs by the Department of Education (DepEd)¹⁴. As policy-makers focus their

sights separately on education and training in its different loci – basic education, higher education and TVET – a lack of coherent strategy for LLL is noticeable. Considering regional developments that will test Philippine capacity for delivering LLL, such as the looming integration of Southeast Asian labor markets by 2015¹⁵, the need to prepare for learning provision throughout life remains a formidable challenge to policy-makers.

Amidst these challenges, there is a growing recognition among policy-makers on the importance of skills provision especially in urban workplace and rural agricultural settings where productivity is declining¹⁶. This is important considering that it creates pressure to organize a LLL strategy that will provide skills to Filipino workers. Moreover, the mandate to extend basic education to 12 years with closer links to TVET in high school¹⁷ also provides an encouraging direction to Philippine LLL.

It is important to note however, that LLL should not be limited to skills provision alone. Learning has to fulfill a greater societal agenda, which includes ensuring social mobility, equality of life chances, social cohesion and active citizenship¹⁸. It is in this context that skills provision must be appreciated, as it should lead to active citizens with a stake in public life. In the Philippines, while citizenship education is present in the basic level, as seen in civics-oriented subjects such as Makabayan and Araling Panlipunan¹⁹, it is less noticeable in other facets of LLL provision. This also provides an additional challenge to policy-makers and other stakeholders to develop responsive programs that will promote citizenship education for social cohesion.

Liberty and prosperity as citizenship education and skills provision

It is important to revisit the main argument at this point. Judicial decisions, while essential to maintaining the rule of law as well as the pursuit of liberty and prosperity, are not enough. Liberty and prosperity require enculturation into the life and will of the people. In other words, these values need to be expressed in the daily tasks undertaken by individuals. This requires building an epistemic culture, one that develops practices enabling the use of existing knowledge and tools in order to create new forms of economic, political and social activity²⁰. This is well within the domain of LLL which concerns itself with knowledge and skills provision beyond compulsory education.

In turn, a reinterpretation of liberty and

prosperity from a LLL perspective must then occur in order to situate education and training as a locus for propagating these values. Upholding personal and political liberties can then be recast in the form of citizenship education, one that socializes individuals as to their rights and the remedies afforded by law in case of a breach. More importantly, LLL can be used as a means to advance citizenship outcomes, foster social cohesion and deepen democratic participation.

Meanwhile, nurturing prosperity can be reoriented towards skills provision, where citizens are given the necessary competencies essential for the workplace and in entrepreneurship. Governments and the private sector must create opportunities for people to develop their competencies throughout the life span. With people changing their career paths throughout life becoming more common, it becomes necessary to support and utilize this towards greater productivity.

Given this, LLL is challenged to propagate the ideals of liberty and prosperity through citizenship education and skills provision. As the Foundation's exhortation goes – "justice and jobs, freedom and food, ethics and economics, democracy and development"²¹ – LLL has to be explicitly reframed to achieve both goals of substantive freedom and economic well-being. This begs operationalization through learning programs in post-compulsory education (eg. professional, vocational and workplace learning [PVWL] and higher education) that includes elements of both values. Pedagogical tools that enable educators to make learners reflect on these values while acquiring competencies are essential in order to enculturate liberty and prosperity.

Service learning (SL) in advancing liberty and prosperity

The previous discussion raises the need to utilize pedagogical tools that can enculturate the values of liberty and prosperity. One such tool is service learning (SL). SL is defined by Puig as "a pedagogical methodology that brings together into one single process the learning of competencies and values with the undertaking of tasks that benefit the community."²² This is distinguished from other common practice-based activities in higher education such as volunteering, community service and internship through the interaction of its service and learning elements, as shown in the figure below²³. Good examples include the Australian Goodna Service Integration Project²⁴, which launched efforts (among other SL initiatives)

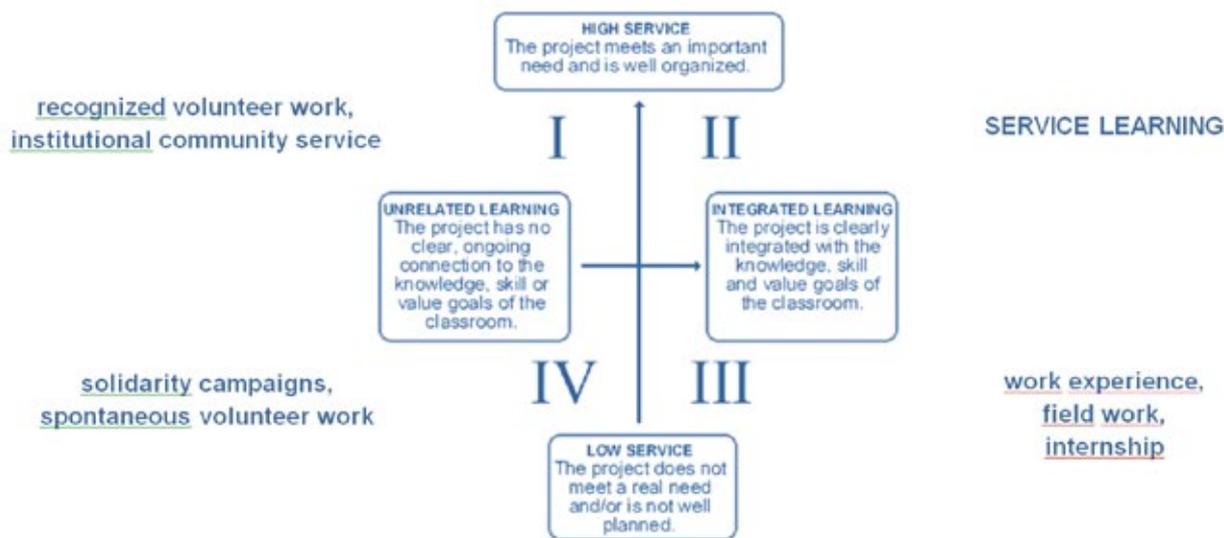


Figure 1. Service learning quadrant with examples of common practice-based activities (Service Learning 2000, 1996)

tackling domestic violence through a partnership between the University of Queensland, police force and local community.

Service learning has been asserted as a way to develop a “connected view of learning”²⁵ and to transform “education as an act of social justice.”²⁶ It draws its strength from its method of developing skills and competencies in a values-rich environment, while at the same time introducing learners to a wider communities of practice²⁷ that host tools and practices which differentiate vocations and other forms of human enterprise²⁸. In other words, utilizing SL can mediate theory and practice, as well as situate learning within the realm of values²⁹. As such, citizenship education and skills provision can both be undertaken in SL programs.

In turn, this pedagogical tool becomes useful considering the goal of propagating liberty and prosperity through citizenship education and skills provision in LLL. As LLL concerns itself with post-compulsory education, SL programs that promote the values of liberty and prosperity can be undertaken in higher education and legal training. For one, the Civic Welfare Training Service (CWTS) at the university level, as well as legal clinic programs such as the Office of Legal Aid by the University of the Philippines College of Law³⁰, can be explicitly recontextualized with appropriate citizenship education and skills provision elements. Opportunities to reflect on these values and their relationship to one’s professional development can be extended throughout higher education and legal training. As such, SL provides interesting opportunities for enculturating liberty and prosperity by embedding it in higher education and legal training.

Conclusion

This paper initially set out to discuss liberty and prosperity from the perspective of the courts and the law. It was seen as a workable paradigm in which to dispense justice and ensure economic security through the fair and insightful application of the law. Nonetheless, it has been asserted that action from the judiciary is not enough in advancing the ideals of liberty and prosperity. Education is essential in propagating these values in society throughout an individual’s life span. In relating this to citizenship education and skills provision, the judicial philosophy of liberty and prosperity is then seen as compatible with lifelong learning. As such, it is argued that liberty and prosperity must be enculturated through pedagogical tools such as service learning in higher education and legal training.

Challenges exist in order to fully flesh out the ideals of liberty and prosperity, and utilize these in advancing social justice and social progress. First, a continued discourse on liberty and prosperity must be fostered within the legal profession. What constitutes an appropriate notion of political freedom and economic well-being must be spelled out as several questions arise from this duality of liberty and prosperity. How can judicial decisions ensure a favorable business climate granted it only hears cases brought upon the courts? How can the judiciary foster an equitable distribution of wealth given systemic inequalities existing in Philippine society? How can judges reconcile sometimes conflicting demands for social justice, national patrimony and business interests, such as in the case of extractive industries and special economic zones?

These and other difficult questions must be tackled, and even tested in court, in order to demonstrate liberty and prosperity in practice.

Second, policy-makers must also contribute to that discourse by providing their own answers. This can be in the form of concrete learning programs that advance liberty and prosperity while serving the needs of their learners and immediate communities. Moreover, learning programs have to be situated along a coherent LLL strategy. The government and the learning profession have to collaborate in order to provide a road map for future LLL programs that will advance liberty and prosperity through citizenship education and skills provision. This must be done in the context of deepening institutional reforms and widening democratic spaces. With the current Philippine administration for example advocating a “straight path” in governance, overall LLL policy must also contend with the work of institutional reform while ensuring economic competitiveness.

Third, educators are challenged to concretize a LLL strategy involving the ideals of liberty and prosperity. This must be done through the use of pedagogical tools and the design of programs that reframe learning according to these values. Core competencies and learning outcomes must be explicitly situated and acquired along these lines, and learners must be allowed to demonstrate the acquisition of skills through meaningful projects that benefit communities.

In the end, liberty and prosperity can only be meaningful if it translates to the better exercise of political freedoms, deeper institutional reforms and civic involvement, as well as a more competitive economy that benefits the people rather than a few. While the philosophical foundations of liberty and prosperity are already in place, action awaits. This is the great task that the judiciary, government, academe and private sector might as well start to undertake. •

¹ Holmes, Oliver. *The Path of the Law*. 10 *Harvard Law Review* 457 (1897).

² Panganiban, Artemio. *Safeguarding the Liberty and Nurturing the Prosperity of the Peoples of the World*. 82 *Philippine Law Journal* 178-193 (2006).

³ *ibid.*

⁴ *ibid.*

⁵ British Broadcasting Corporation. “Snowden: Leaks that exposed US spy programme”. *BBC US and Canada*, July 1, 2013.

⁶ Panganiban, Artemio. *Safeguarding the Liberty and Nurturing the Prosperity of the Peoples of the World*. 82 *Philippine Law Journal* 178-193 (2006).

⁷ *ibid.*

⁸ *Universal Declaration of Human Rights*, Sec. 22-27.

⁹ *Philippine Constitution*, Art. 2, Sec. 9.

¹⁰ Foundation for Liberty and Prosperity. *About the FLP* (2011).

¹¹ Schuetze, Peter. *International Concepts and Agendas of Lifelong Learning*. 36(3) *Compare* 289-306 (2006).

¹² Guile, David. *The Learning Challenge of the Knowledge Economy* (2010).

¹³ Schuetze, Peter. *International Concepts and Agendas of Lifelong Learning*. 36(3) *Compare* 289-306 (2006).

¹⁴ Macaranas, Federico. *Lifelong Learning in the Philippines*. Working Paper 198, International Labor Organization (2007).

¹⁵ Alcantara, Patrick. *Examining Theoretical Models of Knowledge and Learning in Industry: The Case of Philippine Tourism, its New Policy Rhetoric and Mandate*. Masters dissertation for the Institute of Education, University of London (2013).

¹⁶ Macaranas, Federico. *Lifelong Learning in the Philippines*. Working Paper 198, International Labor Organization (2007).

¹⁷ Department of Education. *The K-12 Basic Education Program* (2011).

¹⁸ Schuetze, Peter. *International Concepts and Agendas of Lifelong Learning*. 36(3) *Compare* 289-306 (2006).

¹⁹ Southeast Asian Ministers of Education Organization (SEAMEO). *The K-12 Toolkit* (2011).

²⁰ Guile, David. *The Learning Challenge of the Knowledge Economy* (2010).

²¹ Foundation for Liberty and Prosperity. *About the FLP* (2011).

²² Puig (1999) cited by Elexpuru, Itziar. *Social Commitment Amongst University Students Via Service Learning*. *Proceedings from Educational Innovations and Reforms in Countries around the World* (2011).

²³ Service Learning 2000 Center. *Service Learning Quadrants* (1996).

²⁴ Muirhead, Bruce and Woolcock, Geoffrey. *Doing What We Know We Should: Engaged Scholarship and Community Development*. 1 *Gateways: International Journal of Community Research and Engagement* 8-30 (2008).

²⁵ Eyster, Janet and Giles, Dwight. *Where’s the Service in Service-Learning?* (1999)

²⁶ Cipolle, Susan. *Service-Learning and Social Justice: Engaging Students in Social Change*. (2010)

²⁷ Yaniz, Concepcion and Elexpuru, Itziar. *Conocimiento, Comunidades de Práctica y Valores In: Dirección para la Innovación: Apertura de los Centros a la Sociedad del Conocimiento* (2004).

²⁸ Lave, Jean and Wenger, Etienne. *Situated Learning. Legitimate Peripheral Participation* (1991).

²⁹ Alcantara, Patrick. *Towards a Lifelong Approach in Higher Education: Recontextualizing Service Learning within a Culturalist Frame*. Academic research for Deusto University, Spain (2012).

³⁰ The UP College of Law. *History of the OLA* (2013).

PROFESSORIAL CHAIRS

On 18 September 2012—exactly one year ago—the *Chief Justice Panganiban Professorial Chairs on Liberty and Prosperity* were created in nine top law schools in the country, plus a tenth holder in the Philippine Judicial Academy.

The first recipients were (alphabetically arranged) 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 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).

Later on, three recipients from top law schools in Luzon, Visayas, and Mindanao were appointed: Dean Reynaldo U. Agranzamendez (University of the Cordilleras, Baguio City), Dean Joan Sarausos-Largo (University of San Carlos, Cebu City), and Dean Mikhail Lee L. Maxino (Siliman University, Negros Oriental).

Essentially, the deans will be the initial holders of the professorial chairs. The holders are entitled to receive two hundred thousand pesos (P200,000.00) per year (one hundred thousand per semester). They will have the responsibility of conducting original research and delivering the intellectual output (advocating the promotion, appreciation, application and protection of liberty and prosperity) once every semester to all the members of the faculty and entire student body of their respective law schools. The output can be in the form of a traditional lecture, debate, case study or other modern and creative methods of communications. As counter part, the law school will host the lecture or equivalent. The intellectual outputs from the chair holders will be published in a book and on the FLP website.

In the case of the Philippine Judicial Academy, the initial chair holder will be the Chancellor (retired Justice Adolfo S. Azcuna) who is expected to deliver the lecture or other output during the pre-judicature seminars/courses of PHILJA for one year, as well as during the annual meetings of the various trial judges associations.

The appointed deans are expected to deliver their commitments by the end of the Academic Year 2013-2014.



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