

A Battle Cry to Defend Democracy: The Fight to Achieve Liberty and Prosperity under the Rule of Law

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From the forefathers of the 1987 Philippine Constitution, our nation had but one dream, to be free from the clutches of a regime that stole countless lives, disregarded human rights, and effectively shut down the voice of the people. Our goal was to establish a society founded on the principles of democracy, humanity, and independence under the rule of law. However, as decades have passed, we still find ourselves in a similar situation, thrown into an age of enforced disappearances, extralegal killings, and an obvious ruthless subversion of democratic freedoms.

Recent social events have been frustrating and disgusting. To a legal aspirant such as myself, it was tiring to hear how the rule of law which we so meticulously studied has been continuously ridiculed and debased in the face of a global crisis. Human rights advocates are lost in a puddle of blood staining the streets of our country. Teachers are accused of being terrorists for teaching indigenous people. Market vendors, farmers, and fishermen are deprived of their livelihood. Politicians taking advantage of the vulnerability of the poor and marginalized in order to further their personal agenda. Disinformation, victimizing a majority of the populace into making vile and baseless decisions.

The right to freedom of expression without fear of governmental interference is like a dwindling candlelight so close to being extinguished. The right to air out grievances is treated as a threat to the stability of the nation when all it intends is to point out the shortcomings of the administration. The government itself, the entity that should be in the forefront of protecting its citizens, is behind the scenes orchestrating state-enforced bloodbaths.

The occurrence of the global pandemic was like rubbing salt on the open wounds of our already failing government system. It exposed the dysfunctional system of our government institutions, it resulted in numerous attacks and challenges on the credibility of government officials, and mostly, it plunged the whole nation into extreme poverty.

For years we have witnessed how due process was thrown in the gutter, how governmental processes were disregarded and how politicians and government officials showed apathy and lack of interest in basic constitutional and human rights. The government has distorted our democratic principles to the point that people become apathetic to basic rights, and thus, they exhibit a lack of interest in upholding

what is just and humane. Some even dismiss extralegal killings by saying, “He deserves it,” or, “they should just kill them all,” referring to innocent people who were either trying to fight for justice or ordinary people getting tangled in the mess of so-called “drug operations.”

This is something to be frowned upon, and we should never sleep peacefully with the knowledge that aside from people getting killed by reason of their advocacy, there are also people who think they deserve to be injured for upholding the rule of law.

In a time where the government itself curtails our constitutional rights, one might begin to ask, what does my liberty mean? What does it comprise? And what is its extent? Victor Hugo, in his famous story *Les Misérables*, stated that “from a political point of view, there is but one principle, the sovereignty of man over himself. This sovereignty of myself over myself is called Liberty.”

Liberty is freedom and freedom is liberty. Ever since time immemorial, human beings have been inherently free, free to do what he pleases, free to venture wherever their feet take them, free to express themselves to his heart’s desire. However, as societies progressed, and as communities entered into an age of modernization, certain limitations were deemed imperative in order to continue living in harmony. Soon, liberty came to mean, freedom with due regard for the lives, liberty, and security of other people.

The progression of society resulted in the intricate interrelation of various social systems which, became the primordial considerations of the government. These societal systems were so interdependent such that a grave failure of one could lead to the degradation of another. An example would be our political and economic systems. A political system tightly captured by capitalist, selfish landlords, and self-centered politicians results in the enactment of laws that cater to their own personal interests rather than for the common good. As a result, our economic system suffers an uneven and backward development. We are mired in poverty, the majority of our people do not have access to capital and up-to-date and latest technology. Thus, our economic productivity has remained low. This brunt on our economic system lead us to rely on the remittances of overseas Filipino workers, and it has forced several Filipinos to seek employment in another country, choosing to endure physical harm and the mental and emotional suffering of being away from their families.

Our decisions, therefore, no matter how minuscule they may seem, deeply affect the future of other Filipinos and succeeding generations. Liberty is not anymore a free pass to do anything as one desires. Under the rule of law, liberty now entailed respect for the lives of fellow human beings, an utmost consciousness of other people’s

needs, and the responsibility to ensure that future generations can, not only enjoy the blessings of democracy, but also the bounty and beauty of the earth.

If liberty cannot be construed as absolute, how then can one prosper given such limitations? The answer is simple, for only when there is respect for the rule of law can prosperity truly be attained. Only when the populace can effectively communicate their initiatives and criticisms without fear of retribution, and only when the people are free from the fear of reprisals can we build a prosperous society under the rule of law.

However, it is more idealistically said than what is really being portrayed by our current status quo. There is a huge rift in the social and economic equality in our citizenry. The poor become poorer at the expense of the rich becoming richer. With a rampant economic disparity and a poorly functioning legal system, it seems that our ideals of a rule of law to uphold all people equally results into social inequality. The outcome is that the wealthy are lavished with privileges while the poor are burdened with heavy constraints and societal exclusion. Only a small population reaps the benefit of economic growth while a disproportionately large population suffers detrimental harm.

I have been a firm believer that education is our greatest defense against the enemies of democracy. We have, ever since, been thrown into a raging battle against misinformation, false democrats and egoistic politicians, and a dysfunctional government. I remember when I was in high school, I had no knowledge of Philippine politics and government, nor was I aware of the three branches of government, or of checks and balances, I only knew who the President was. I was an ignorant stone, in complete unconsciousness of the political and legal tremors surrounding the country at that time. I had no intention of becoming a lawyer, I did not even dream to become one. When I received my results for the NCAE exam, Lawyering was one of my least preferred choices. It was my dream to become a doctor, but because of financial constraints, I was compelled to seek another path. I chanced upon this course, "Legal Management," the course description said it was a mixture between business management and law. I took a huge gamble with my college degree, having flown all the way from Visayas to Luzon, I had to make it work despite not being attuned to societal issues. On the first day of class, my classmates were already talking about recent news, corruption in the government, election results, and their opinions on future administrations. I was merely sitting there, listening to them, having no clue what they were talking about.

When I got home, I borrowed my grandfather's stash of newspapers and read the latest events. I watched the news every night to keep myself updated and I did not hesitate to ask some of my classmates to clarify some things that I did not

understand. Hailing from a rustic and quiet rural city in Negros Occidental, I was not prepared to face the onslaught of information concerning the Philippine government and the Philippine Legal System. As I progressed in the year level, I came face to face with law subjects that were equally foreign to me. I have never seen a Supreme Court case in my whole life, let alone read the provisions of the Constitution and other laws. I remember reading one case 5 times yet never understanding what it meant. I began to question if my decision was too ambitious for me, or if I underestimated the course itself.

Nevertheless, I told myself that I already made it so far and I just need to keep moving forward. I studied every day, I tried to familiarize words that were once vague to me. I followed up on every question I had in my head with more research. I absorbed every single piece of advice our professors gave, and one thing I can never forget from my college journey was the empathy for the poor, oppressed, and marginalized. I was still undecided at that time on whether I should pursue law or not, but a lot of my college professors shared their stories as lawyers. One thing I can never forget is when one professor told us, “to never deny a client, who seeks your aid, even when they smell, even when you know that they do not have a peso in their pockets to pay for your services, even when you know that they probably can never afford to pay because these are the people who need your help the most. And the essence of being a lawyer is to be at the aid of those who need our legal services. To you, they may just be another client walking into your office, but for them, it is their lives, livelihood, and families at stake.” From that point onwards, I decided to pursue the legal profession with the goal of becoming a good lawyer for the people. One who does not discriminate, one who walks beside the people, not in front of them, one who dreams for the people’s success as much as one yearns for his own, I aspired to be like that.

Education has been my saving grace, it has dug me out of the burrow of apathy and ignorance. It has taught me to be critical and outspoken and I believe it can do the same to others. The most important task to defend our democracy is to impart to the youth, education of basic democratic principles. We must normalize reasonable discussion of issues. We must promote socially inclusive discourse on socio-political and socio-economic problems.

As law students, lawyers, teachers, and professionals of any kind, each of us has the responsibility to all our fellowmen to endeavor the defense against the enemies of democracy. We, who revere and hold dear to our hearts the promise of freedom, justice, and prosperity under the rule of law, must actively participate in the struggle to defend, preserve and propagate the principles of democracy. We should serve as a bar for these enemies to penetrate and climb into the leadership of the government

and in society. We must prevent them from gaining power and authority to advance their self-serving causes. This, I know, we can achieve through the power of a dynamic and well-informed public opinion; because the greatest fear of the proponents of anti-democracy is a well-informed, deeply educated citizenry.

A lot needs to be done, corruption, poverty, and apathy has been profoundly entrenched in our governmental systems. As digitalization entered the picture, we have been amidst an invisible battle against fake news, and misinformation. If the greatest threat to anti-democracy is education, then education's biggest enemy is the proliferation of false information and the acceptance by the people of the same as "truth."

Almost everyone has access to social media platforms, people spend a majority of their day engaging in communication and dissemination of information online. Some people even tune into social media in order to be updated with global and domestic affairs. Social media is highly unregulated; government restrictions seem to have a difficult time infiltrating the domain of online activities, thus, people's sense of liability and responsibility on social media is defeated. They have a feeling of unlimited freedom on the internet, grounded on the fact of anonymity and feebleness of imputation. The difficulty in regulating internet activities makes it a perfect soil for fake news to thrive and, the vulnerability of people to misinformation allows the permeation of lies and the trample of truth. Yet, in the battleground to defend our democracy, our armors shall be our empathy for the poor, our shields will be our voice and knowledge of the law, our swords shall be the truth and, our battle cry shall be the rule of law.

It is a difficult battle; a lot of lives were arbitrarily taken for fighting against the artillery of an abusive government. As a law student, there is only so much I can contribute, yet I believe that the propagation of the truth should be an endless endeavor. And so I shall stand on the side of the truth, I shall be on the vanguard against misinformation. The truth must prevail and, people have the right to be informed of facts and not baseless opinions. People have the right to be educated on their rights as citizens of the Philippines and as human beings in this world. They have the right to formulate well-informed initiatives and criticisms on social issues. We have the right to be free of fear from ill consequences for educating and informing the masses of their rights, and of delivering basic education to the poor. We have the right to be free from harm for advocating due process and equal protection and for vehemently rejecting state abuses.

Indeed, liberty comes with restrictions, under the rule of law, one has an equal share of the burdens of maintaining a safe and harmonious country. However, such limitations should not be construed to serve as restrictions to enjoin us from

vigorously educating the masses on established facts. They should not constrain us from aligning our private interests to the precepts of the common good. The attainment of a prosperous society starts with the rearing of civic consciousness and common good. This is only achievable under the rule of law, where people are free to educate and likewise uninhibited to learn.

As law students and lawyers, we have the privilege to learn the nuances of the law. We are blessed to be enlightened with important legal concepts. We have the power to properly educate the misinformed, the ignorant, the clueless, and the apathetic. The bounty of our knowledge and the depth of our advocacies will allow us to transform citizens into vigilant warriors against abuses, and mold fellowmen to be responsible in exercising their freedom. It is our mission to pass on the knowledge of now to the beacons of tomorrow. Through our shared efforts we can steer the nation away from the looming dangers of a dark destiny.

It is with this notion that we push through all adversities. It is with this goal in mind that we stop being rocks on the receiving end of the cruel crash of the waves and become tough sailors who brave the wrath of unchartered waters. Truly, the legal profession is obstructed by powerful gatekeepers and only open to a deserving few who fight hook and crook for an opportunity to be called a legal defender. Yet as we traverse the gates of law, we learn to love the spirit and intention of the law. We begin to acknowledge the importance of education. With all this in mind, we fight, to pass the bar, become a lawyer for the masses and to advance our passion for liberty and prosperity under the rule of law.

A difficult task at hand, yet we remain steadfast, unfaltered by the travails of life, armed with the knowledge that this journey is not just for oneself but for a bigger picture, for our fellowmen, for our beloved Philippines.