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**THE FRATERNAL TWINS OF THE RULE OF LAW:
LIBERTY AND PROSPERITY AS A PACKAGE DEAL**

Writing the essay feels like coming back home. For three years, I have been in law school and for a while, it was made clear to me that my undergraduate degree in Political Science would be of little to no use to me. The philosophy of “Liberty and Prosperity under the Rule of Law,” is primarily inclined towards social justice which has long been on the sidelines in law school discussions. With that, I would examine individually the triumvirate which is composed of (1) Rule of Law; (2) Liberty; and (3) Prosperity.

The **Rule of Law** must exist. Like a mother to its children, there would be no democracy without it. The hallmarks of democracy entail that such rules and regulations must be present in order to create a society governed by civilized individuals. Though it must be acknowledged that throughout human history, even in the Philippine context, laws have often been used by the few to oppress the public and they have done so quite successfully.

It is the threat of disruption to “peace and order” espoused by the rules that is often used as a justification for the mobilization of violence. Among the many first lessons taught to law students is that courts cannot inquire into the wisdom of the law. It is reinforced with the presumption of regularity, that I would find myself simply accepting that that law is the law and that is the end of the conversation. That is the other side of the law which I often neglect to partake in, the criticisms of its existence.

Nevertheless, the law serves its purpose. Its beauty lies in its commitment to equality and flexibility. Equality in the sense that it applies to people similarly situated. Flexibility such that it, hopefully, adapts to the demands and the needs of the people during its time. At its core, the rule of law is the commitment to due process of law. No matter how tedious, no matter who or what is involved, the process remains the same. It is an assurance that at the end of the day, everyone is equal before the eyes of the law.

The rigidity of the law made me focus on “**Liberty**,” the civil and political rights that are often tampered or interfered with either by the government or other individuals or entities. Even in law school, these are the first rights to be

emphasized by the core subjects in my first year which are Constitutional Law, Criminal Law, Civil Law.

From there, the rule of law teaches you to see things in black and white. While there is room for liberal interpretation, more often than not it is simply a question of whether the law was violated or not. It all points back to the importance of Liberty. Truly, it is the favorite child because it is something that every individual has in common as a matter of birthright. It is the favorite child precisely because it is more or less, easier to handle. It is either a yes or a no.

“Prosperity” is the right of every individual to a better quality of life. These are the economic, social, and cultural rights of the people that are often ridiculed as the perception is that individuals must strive to have economic security as a matter of obligation or preference only. While it can be argued that “Prosperity” is a matter of birthright as well, it is subject to other considerations such as social status, educational background, employment, and the like.

A metaphor that resonates with me to this day was the photo posted during the COVID-19 Pandemic: *“We are not all on the same boat. We are all under the same storm; on the same ocean. Some of us are in yachts, others are on a cruise, and others are on a life raft.”* During an era of suppression, the importance of Liberty was placed in the spotlight to revive Prosperity. Freedom of expression and the press were at the forefront to call for the presence of the socio-economic safety nets or “ayuda” for the marginalized at a period where income was scarce.

As such, Liberty and Prosperity can be viewed as fraternal twins. With the rule of law being their mother, Liberty comes out first, followed by Prosperity, so they share the same birthday. Liberty is often emphasized first for good reason. It is through it that the people are heard and protected. Prosperity, on the other hand, ensures that people are fulfilled and fed. It is the latter which makes people stay and obey the rule of law. Though the two have their differences, they are fraternal in the sense that one cannot exist without the other at the moment of inception of democracy.

It is called a triumvirate for a reason. The absence of one destroys the harmony and functionality of the remaining elements. People fail to recognize that socio-economic and cultural liberties set the tone as to how the rule of law functions and political liberties are realized. A starving man cannot be expected to think rationally, nevermind follow the law and be a model citizen to society. Until the public acknowledges the fact that prosperity as a matter of right must be

developed, the fight for human rights is essentially superficial. Human rights as a whole work as an interconnected web. Consequently, one right cannot be detached without affecting the other.

Such dynamic is happening right before our eyes. With the upcoming elections, how is the public expected to vote for candidates with whom they share the same ideals and values when all they see are the colored displays together with the “incentives” attached with such campaign paraphernalia. However, can the public be blamed for placing in a power a person they believed to be good since when elections were fast approaching, these candidates gave them sustenance? A practice which is in part due to the loophole in the law as to the impossibility of premature campaigning. A political reality to be faced is the fact that the absence of prosperity leads the public to, for all intents and purposes, waive their political right to vote since they usually use the same as leverage against the candidates.

Such political realities led me to make the right to education as my advocacy and in line with it, the right to access public libraries. For without education, one cannot fruitfully participate in meaningful dialogue about our society. In this day and age where political conversation is ripe with strife and division, a simple collaborative discussion is revolutionary.

It is in my earnest belief that my **commitment to my education** is the first step towards achieving the philosophy of liberty and prosperity. The commitment to pursuing an education, at the very least, ensures that people have manners and are open to communication that abides by the long-standing rules of respect for human dignity without condescension and barbarity branded as authenticity. In due time, through education, moral compasses may be regained and rebuilt when people have finally rehabilitated the avenues of exchange.

More importantly, my access to legal education is my mechanism to provide learning resources and to an extent, legal protection to those who are denied of it. It is my means of advocating for public access to knowledge, especially for legal education which is either physically scarce or inaccurate or carelessly explained in cyberspace. Thus, for me, the study of law is civic responsibility.

Second, it is through my **commitment to uphold academic integrity and accountability**. It is easier said than done but one which is greatly needed in the present day. The rule of law must first be upheld in places where we reside. In my case, that is the classroom. Integrity, whether through academic work or the election of student officers who espouse the same, is a reflection of that promise.

At a personal level, integrity coupled with accountability means the recognition of our own faults and shortcomings with the goal of resolving the same for a better outcome.

Third, it is through my **recognition of the role of history in our laws**. This is often disregarded in the study of law. However, it reinforces the significance and origins of the laws made in the first place. The civil and political liberties in place were fought with blood and sacrifice, one which is often forgotten due to the comfort we experience today. It is both our duty and honor to remember the painful past that brought us the existence of these rules that protect our rights.

A section of Chief Justice Panganiban's speech emphasized the lessons brought by our history with Martial Law where it was taught in bold colors that an authoritarian regime had not brought the country any prosperity. In the same vein, such experiences highlight the importance of the coexistence between liberty and prosperity. The challenge for the present and succeeding generations to remember the past with a full account of its dark remnants is one which must be met with resistance and dauntlessness in the face of historical revisionism.

Fourth, it is my **goal to remain critical of laws enacted that sustain systemic and systematic inequalities while providing solutions or suggestions for the same**. Admittedly, this is one which I must learn to develop once again. In my stay in the legal academe, I have become complacent in the laws in place where truthfully, so much more could be developed. While laws are presumed to be executed for the good of the people, in some cases such rules aggravate the situation for those at the bottom of the social hierarchy. Hence, while the rule of law is primarily made to be obeyed, there must be concrete and actual manifestations that when it is questioned, there are efforts to develop the same to perpetuate social justice.

In part, criticisms as to the statutes in place emphasize the values a person holds. The main value should be the broader public interest that represents the interests of the workforce. For example, there has been a suggestion by the current Finance Secretary Recto to increase the rate for capital gains, donor, and estate taxes. In an economy already challenged by inflation and scarcity of income, leaders and members of office should resort to measures that favor the people they represent. If such framework does come into force, may the courts view the same as an act of aggression against the people with emphasis on discourses of good governance.

Finally, I strive to **implement these values and objectives in my daily life.** It is difficult to stay true to them when I hear the latest news coverage and most ironically, how bad behavior is often rewarded. However, it is through leadership by example that these beliefs are concretized. The respect for law and academic integrity lays the groundwork to open civilized discussions regarding the political landscape of the country and the future innovations that may be undertaken to promote actual prosperity. These values secure the philosophy of liberty and justice in its emphasis that **the law is a commitment for the betterment of society as a whole both in theory and practice.** It is in that respect that I redirect my law school journey which has been tumultuous and jaded over the years.

When I become a lawyer next year, my promotion of this philosophy will be three-fold. First, I would **campaign for the development of public libraries as my policy advocacy.** The rule of law needs to safeguard civil and political rights and at the same time, reinvigorate socio-economic rights.

The commitment to liberty and prosperity starts with the knowledge that people know of their rights in the first place. This means removing institutional barriers that prevent students, employees, and members of communities from attaining information and digital resources. Insights gained from the same enable the law to serve as a tool for social mobility. From there on, discussions may be initiated that would allow legal remedies to be practical as it is now a means for perpetuating capacity-building. Through meaningful collaboration, the law serves its purpose as an accessible and operational mechanism that turns liberty and prosperity into tangible outcomes.

I would push for the role of public libraries, especially for its significance in the legal field because they are the most conducive places for discourse. It is in healthy discourse that people recognize that rights are not merely symbolic figurines that only matter in the face of the police or the courts. Policy development at the grassroots level is generated within public libraries. If only members of the legal field recognize that the actual and direct participation of the public in policy-making redirects the analysis towards the real beneficiaries, themselves. In fostering this dialogue, social, economic, and cultural rights are put at the forefront of the discussion since it is guaranteed that freedom of expression is already achieved.

Second, I would **advocate for the use of the arts as a tool to perpetuate the philosophy of liberty and prosperity under the rule of law.** It is so often neglected that servants of the law are one of the most artistic members of society

who have high regard for musical and literary pieces that speak to their soul. The relevance of the law should not be confined to long and arduous discussions when it is capable of being translated to theatrical masterpieces. Take for example, the musical *Bar Boys* which follows the painstaking journey of law students in their quest to become lawyers that tackle socio-economic landscapes. The disdain for the arts due to its lack of monetary relevance has led the public to resort to apathy in their daily lives. As humans, the most effective way to have compassion for others is to put ourselves in their shoes and art does that. Art triggers human conscience that allows people to view the law as something that can be changed through appropriate processes and is not meant to be written in stone.

Lastly, when I become a lawyer **I am determined to stay true to my Political Science roots.** Everything I learned during my undergraduate degree is my moral compass in navigating law school and it has not failed me. In the eyes of the philosophy of liberty and prosperity, legal success is directly proportional to social responsibility. Protection of civil and political rights entails the promotion of socio-economic rights and stability and order should not come at the cost of the latter.

In the current state of affairs, I believe that the judiciary is the last line of defense in upholding the rule of law in the country. Throughout my teenage years to my young adult years, I have witnessed political events that deserve their own sections in Philippine History books. It has taught me that the rule of law is never simply neutral. It is always subject to the interpretation and protection of those in power. The lawyer I envision myself to be is one with an enduring conscience and a commitment to preserve and expand spaces for learning to ensure that actual liberty and prosperity is achieved for those lying at the seams.