

Safeguarding Liberty and Prosperity by Cicily Isabelle N. Mirasol

I can still remember the days leading to May 27, 2008, the day that linemen from Meralco cut our line, resulting in spending my high school years in the dark. Days before that fateful day, I had to accompany my mother to beg before Meralco's officers in Balagtas and eventually, in Ortigas. As a child, all I understood from these encounters was that Meralco did not heed our requests, my mother cried as a result, and ultimately, we will be spending our succeeding years at home with no light, no television, and no fans.

How I graduated from high school as honorable mention despite this circumstance is a feat that I attribute to God and to our neighbors who allowed us to charge our laptop and do some of our school requirements at their homes.

In my third year in college, my mother was diagnosed with severe aplastic anemia. She was the only one employed in our family during that time, thus, my sister had to stop studying. Thankfully, I was able to continue my studies and to graduate with honors, primarily due to the UP Presidential Scholarship and SGV Scholarship.

It has always been my dream to be a lawyer, but unlike other students who can go straight to law school after graduating from college, I had to work to save and finance my law education. Nonetheless, after two years in law school, I found my savings exhausted. Fortunately, the UP Law Scholarship Fund and its benefactors allow me to continue with my studies.

Since I was young until now, I have always found myself surviving from life's troubles with the help of others. It is almost natural for help to be available at all times. I understand that this is largely because those whose help is always available are at liberty to do so. As Chief Justice Panganiban said, *"the best way to conquer poverty, to create wealth and to share prosperity is to unleash the entrepreneurial genius of people by granting them the freedom and the tools to help themselves and society."*

While I recognize the liberty of those who are wealthy to increase and share their wealth, I have always questioned why a lot of Filipinos do not enjoy the same liberty as others do. Yes, we are supposed to enjoy civil and political rights which include the right to life, the right to be free from inhumane or degrading treatment

or punishment, freedom from slavery and servitude and freedom from discrimination, right of privacy, freedom of thought, conscience, and religion, freedom of opinion and expression and the right of marriage¹, and even the right to vote and be voted for², but due to poverty, to a lot of Filipinos, some of these rights are but mere ideals.

Let us take for example the right to vote and be voted for. It is not a secret that vote-buying, despite being an election offense, is rampant during elections, whether at the national or local level. The mechanism of vote buying necessarily contradicts the ideas of democracy primarily because the practice of vote buying robs voters of the freedom to choose the leaders that would be their voices in government and will represent their aspirations. It is easy to tell the voters to just accept the money and vote for whoever their conscience and their research tell them as fit for the position, but these people who accept money from vote-buying are also those who do not have the time and resources to their independent research, coupled with widespread disinformation, and will most likely end up voting for those who paid for their votes. Can we blame them for not genuinely exercising their right to vote? Some would but as Chief Justice Panganiban would always say in his speeches, *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*. Freedom to vote is useless without food on our tables. Liberty is useless without prosperity.

If the wealthy have the liberty to increase and share their wealth, and do so, does it necessarily follow that the poor will be freed from the shackles of poverty, illiteracy, disability, and sickness? The ideal answer would be yes, but this would largely depend on whether prosperity is shared to the poor through sustainable and needs-based projects that are well thought-off. It is not enough that the wealthy merely share their wealth with the poor, they must be mindful of the impact that they create on their lives.

Promoting the philosophy of liberty and prosperity under the rule of law as a student

Chief Justice Panganiban, in one of his speeches, mentioned that prosperity refers not just to money and material possessions. Rather, prosperity means time, talent, and treasure. Chief Justice Panganiban went on to say that the sharing of time and talent is just as important as the sharing of treasure or money. With this in mind,

¹ Elizabeth H. Aguilin-Pangalangan, *Parents and Children: When Law and Technology Unbundle Traditional Identities*.

² Article 21, The Universal Declaration of Human Rights.

how can I, as a law student, promote the philosophy of liberty and prosperity under the rule of law?

First, I would be more intentional with learning this philosophy in-depth. An overnight reading of Chief Justice Panganiban's speeches and *ponencias* espousing the philosophy of liberty and prosperity under the rule of law will not magically make one understand the underpinnings of this philosophy and how this may be applied on one's everyday living. Learning this philosophy in-depth will include thorough reading of Chief Justice Panganiban's books, speeches, and *ponencias* on the said philosophy and discussing with other students, lawyers, and scholars, the philosophy of liberty and prosperity under the rule of law.

Second, as mentioned above, prosperity refers not only to material possessions, but also to time and talents. I can promote the philosophy of liberty and prosperity by sharing my time and talent with those in need. Practical applications of sharing my time and talent are by speaking to my students to develop their social consciousness, engaging in voters' education programs, and civic education programs. One of my dream projects where I can apply my talent as a professional teacher is by teaching children their rights and obligations as Filipino citizens.

Additionally, I can spend more time with my organization, UP Law Karapatan ng Komunidad sa Loob ng Selda (UP Law KaKoSa). UP Law KaKoSa is a prison service organization founded in the University of the Philippines College of Law in 2017 with a mission of uplifting the dignity and welfare of persons deprived of liberty. One of the projects of our organization is helping persons deprived of liberty with their livelihood projects by selling their products outside of the prison cells. Recently, I also applied to be a member of the UP Paralegal Volunteers' Organization (PVO). The UP PVO is an organization that aims to help further the cause of social justice by engaging different sectors on issues such as human rights, gender, labor rights, and environmental awareness. This organization provides free paralegal services to people in need.

Another way of promoting the philosophy of liberty and prosperity as a law student is by studying law diligently with a view of becoming a competent lawyer someday not only for myself but also for my future clients whose life, liberty, and property may depend on my competence as a lawyer. Studying law diligently not only entails knowing what the law is but also knowing what the law should be and what the law should not be. I believe that I will not achieve this by confining myself to the four corners of my codals, commentaries, and cases. Rather, I need to go out of the halls of Malcolm, listen to the stories of people from different walks of life,

and understand how the law affects their wellbeing. I consider that joining the organizations that I mentioned above, UP Law KaKoSa and UP PVO, and participating in their activities are aspects of studying law diligently.

Lastly, as I take Clinical Legal Education at the Office of Legal Aid of the University of the Philippines College of Law next academic year, I will keep in mind the philosophy of liberty and prosperity in preparing pleadings for my future clients and in defending the rights of my clients.

Application of the philosophy of liberty and prosperity in my legal career

Until now, I am still uncertain of the career track that I want to take once I graduate from law school and pass the bar examinations. When I was in high school, I wanted to become a lawyer because I dream of becoming a president of the Philippines. It is not a secret that one has a high chance of being successful in politics if he/she is a celebrity or if he/she is an outstanding lawyer. I cannot be the former, hence, the dream of becoming a lawyer.

When I graduated from college, passed the board examination, and began my practice as a tax accountant, my main inspiration for becoming a lawyer changed to being able to use my skill and knowledge, particularly in taxation, in creating policies aimed towards environmental preservation. As I progress through my study of law, this goal has gradually changed. At times, I dream to be a Court of Tax Appeals Justice. Sometimes, I dream of being a lawyer at the Public Attorney's Office.

We often hear that as *Iskolars ng Bayan*, we should give back to the country and to the taxpayers that paid for our education by serving the marginalized by becoming alternative lawyers or being employed with the government when we become lawyers. These remarks beg the question “*is becoming an alternative lawyer or being employed with the government the only ways to give back to the country?*” While I do not discount the possibility of pursuing these career paths in the future, I would like to believe that those are not the only ways to pay back to the Filipino people that paid for my study of law. By promoting the philosophy of liberty and prosperity in my legal career, I can certainly give back to my *kababayans*.

Regardless of the career track that I will take, I am certain that by being an ethical, honest, and competent lawyer, I can promote liberty and prosperity in my legal career and create a positive impact not only to my clients but to all Filipinos.

If ever I end up working for a private firm in the future as a tax lawyer, I can promote the philosophy of liberty and prosperity by ensuring that enterprises pay the correct amount of taxes and not undertake unethical and illegal tax evasion practices. If ever I achieve my dream of becoming a policymaker, I will ensure that tax laws will be an aid in attaining social justice by allocating the costs of running our government through a progressive system of taxation.

Lastly, I envision myself to continue teaching even when I am already a lawyer. As a teacher, I have seen how educators can create a ripple effect in the classroom. I believe that through teaching, I can promote the philosophy of liberty and prosperity under the rule of law by initiating discussions on this philosophy in the classroom and how can my students apply such principles.

To conclude, let me quote Chief Justice Panganiban:

“To safeguard liberty, we need not be lawyers, we can be writers and artists, and by our work, protect liberty. When physicians, dentists and nurses go on medical missions, and when engineers and artisans volunteer their services to build homes for the victims of typhoon Yolanda, they share their time and talent. So do plain citizens when they peacefully rally to redress grievances, or simply use the various social media, like YouTube, Twitter and Facebook, to develop the social conscience. Yes, through social media, you can pass on and forward interesting articles and readings to others.”

To safeguard liberty and prosperity, grand gestures are welcome but are not required. We do not even need to be lawyers. In our own simple ways as students, as friends, and as citizens of this country, we can continue to safeguard our liberty and prosperity.