

Guiding Roadmap of an Aspiring Lawyer: What Can Be Done Today, In the Future

In Thomas Aquinas' *Summa Theologica*¹, the prolific philosopher defined the law as "a rule of human acts, commanding man to act or refrain from acting." Second U.S. President John Adams² is best remembered for expressing that: "We are a nation of laws and not of men." After toppling the dictatorship of Ferdinand Marcos, the Philippines revived its long-lost collective vigor and freedoms: the creation a revolutionary government governed with general reforms and protections³, followed by the eventual promulgation of the 1987 Constitution.

The law is the solid compass that sets direction on the conduct of human relations. Without laws, we will return to our savage and primitive nature of being self-centered, of ruthless selfishness, of what Thomas Hobbes⁴ describes life as originally "poor, nasty, brutish and short." Governing laws and its necessary execution by the government is an efficient and effective paradigm that harmonizes human actions in almost all civilizations and today's nations. As a tradeoff for general peace, security and prosperity, the State assures the body politic to uphold individual and collective liberties and to intervene and even curtail one's rights when it would harm other citizens. John Stuart Mill, in his celebrated essay⁵ perfectly illustrates this human tradition of government and laws: "the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others."

Laws are crafted and promulgated, generally in consideration of every stakeholder, so that no one will be left out and everyone can live in joy despite the increasing complexities of society.

To write about forwarding liberty and prosperity under the rule of law may be viewed in a more simplistic view. In countries which are primarily designed as liberal democracy, protecting liberties and achieving prosperity are paramount. The post-Martial Law era in the Philippines has seen the restoration of suspended

¹ (Summa Theologica, I-II, Q.90, A.1), as cited in *PhiLawsophia:Philosophy and Theory of Law*

² Linder, J. (2016, September 19). 'We Are a Nation of Laws, Not of Men'. Retrieved June 05, 2017, from <http://www.theblaze.com/contributions/we-are-a-nation-of-laws-not-of-men/>

³ Proclamation No. 3, s. 1986

⁴ Leviathan, as cited in as cited in *PhiLawsophia:Philosophy and Theory of Law*

⁵ Mill, J. (1869). On Liberty. Retrieved June 05, 2017, from <http://www.econlib.org/library/Mill/mlLbty1.html>

liberties, the strengthening of freedoms and rights such as the right to information⁶, of speech, the press and a newly coined freedom of expression⁷. The Constitution has also guaranteed general protections for every Filipino citizen, putting a higher premium for Filipinos in contributing to nation-building and economic development. Notwithstanding the restrictive constitutional texts on Filipino protectionism, the High Court upheld⁸ the validity of entering into the World Trade Organization (WTO) agreement, supposedly setting the way for the country to face the challenges of globalization.

In my humble opinion, the establishment of government and its branches coupled with the enactment of laws is not the sole satisfactory benchmark of a peaceful and progressive society. The institution must actively address common grievances and must have a proactive eye towards continuous development, and its people must also engage in achieving common goals.

Despite manifest efforts to rectify mistakes and to improve the lives of Filipinos, current statistics show that more improvement is needed to reach our lofty goals as one Filipino people. In the 2016 Corruption Perceptions Index (CPI) report⁹, which ranks nations according to their perceived level of public sector corruption, the Philippines' ranking worsened to 101st out of 176 countries included in the report compared to its previous ranking in 2015. Although there are 14 Filipino billionaires recognized internationally¹⁰, the poverty incidence among Filipinos in the latest statistics was estimated at 21.6 percent¹¹ or more than one-fifth of the population. Recently, the unemployment rate in the country increased to 6.6 percent in January 2017, higher than the 5.7 percent recorded in January 2016.¹² The death toll by the drug war escalated into thousands of casualties since the start of the current administration.¹³

Despite present statutes and jurisprudence protecting our sets of liberties and rights, no person is assured that he or she will not be subjected to injustice, oppression and

⁶ Section 7, Article 3, 1987 Philippine Constitution

⁷ Section 4, Article 3, 1987 Philippine Constitution

⁸ G.R. No. 118295

⁹ Rappler. PH ranking in global corruption index worsens. Retrieved June 05, 2017, from <http://www.rappler.com/move-ph/issues/corruption/159439-philippines-corruption-perceptions-index-2016-rank>

¹⁰ Pagulong, C., & Gonzales, I. (2017, May 17). 14 Pinoys among world's billionaires. Retrieved June 05, 2017, from <http://www.philstar.com/headlines/2017/03/22/1683458/14-pinoys-among-worlds-billionaires>

¹¹ Philippine Statistics Authority. (2016, October 27). Poverty incidence among Filipinos registered at 21.6% in 2015 - PSA. Retrieved June 05, 2017, from <https://psa.gov.ph/poverty-press-releases>

¹² Morallo, A. (2017, March 17). Unemployment rate increases in January 2017. Retrieved June 05, 2017, from <http://www.philstar.com/business/2017/03/14/1681058/unemployment-rate-increases-january-2017>

¹³ Human Rights Watch. (2017, January 20). Philippines Events of 2016. Retrieved June 05, 2017, from <https://www.hrw.org/world-report/2017/country-chapters/philippines>

abuse. Essentially, laws function in its traditional purposes; it can be punitive to punish the wrongdoer and it can be preventive to serve as *caveat* on what not to do. But then, the mere existence of laws and a government does not assure a perfect society.

Today, the texts and spirit of laws are challenged by various interpretations and unforeseen situations. To safeguard liberty and to nurture prosperity under the rule of law, the role of legal scholars and their students, legal advocates and full-pledged lawyers and justices is without a doubt pivotal to maintain a more just and humane society, albeit imperfect and complex. This invaluable sector whose concern is to master legal knowledge and participate in achieving just and speedy administration of justice in the country has a significant voice in the middle of an increasingly polarized society, notwithstanding the unhealed wounds of corruption, inequality and other structural woes.

Studying law, specifically taking up Juris Doctor degree, in itself is my contribution in safeguarding our liberties and nurturing prosperity of our nation. Everything starts with knowledge. Making a vow to finish a law degree and learning the essential fields of study of law in every year level of this scholastic undertaking is a sincere commitment to become a legitimate agent of justice, liberty and prosperity. In the present stage, I should live with the reasonable expectation to carefully study the series of laws and court rulings that govern the relations of man, to understand the wisdom of the laws, to excel or at least be satisfactory in every oral recitation and written examination facilitated by the well-learned educators, to engage in the discourse involving pertinent and perennial issues that confront us as people and a nation, and to prepare myself of my eventual becoming of an officer of the Court, an administrator of justice.

To be involved in protecting liberties and in achieving development in society is something that is not unfamiliar in the course of time I have lived my life. Before I finished my undergraduate degree, I was active in campaigning for students' rights and welfare, as well as societal issues, being a student activist, a member of the university student council and other school organizations. After finishing my Mass Communication degree, I had a wonderful opportunity exercising the freedom of the press by becoming a local broadcast journalist, writing stories of governance, justice and injustice, of progress and inequalities, of sorrowful tales left unspoken. An enlightening moment reached my inner faculties; I decided that I have to enrich my knowledge to improve my understanding on context and realities by learning the law. I enrolled for a Juris Doctor degree initially to improve professional reportage; but I realized later on that the calling of becoming part in the actual administration of justice, although daunting, is promising and may be fulfilling like journalism.

Now that I am halfway finishing the degree, I am optimistic to hurdle every block on the way to be a lawyer.

I would humbly admit that my knowledge about the laws are limited to the books I read and the lessons discussed within the four corners of the classrooms. Being an incoming third year Juris Doctor student does not make me a legal expert, but such established fact shall not be taken as a disadvantage. With the growing misinformation and polarization among people in real conversations and more manifestly in social media, the situation threatens our common goal to safeguard the enshrined rights and liberties. As a law student, equipped with significant knowledge on official laws, ordinances and jurisprudence, as well as legal philosophies, it is my obligation and duty to express a sound opinion on current events and basic issues that affect every Filipino. This visibility is not to manifest intellectual arrogance or a sense of entitlement and privilege that I am far better than most people; rather, an expression of fair and well-crafted viewpoints would hopefully guide a friend, a relative, a family member, or even a mere Facebook or Twitter follower by showing a sound opinion sculpted from a more legalistic lens. I strive to be a prudent voice in the communities I belong, whether real or virtual.

Today's people are more empowered, as we possess an immense resource of information and avenues to express our thoughts. But the glaring observation that an emerging flock of misguided men and women due to lack of proper information and in-depth analysis of matters is unprecedented, frightening but powerful enough to divide a nation. Having a better appreciation of events based on different schools of thought, including the study of law, will hopefully enlighten a divided nation. Although participating in societal discourse by sharing my views is little to bind a nation, I am convinced that such willful commitment to neutralize the haunting noise of division and misunderstanding through my limited knowledge will impact people by having a more informed choice. As I still occasionally contribute journalistic works from time to time, I intend to use the legal knowledge I obtained from my education in writing stories to make better sense of the stories I write.

As a future lawyer, to promise that I would faithfully fulfill every word of the lawyer's oath, although noble and encompassing of the expectations set for every lawyer who has successfully passed the Bar examination, would appear as a motherhood statement. As a future lawyer, I envision myself to become an effective and faithful administrator and advocate of justice.

At this point of my academic journey, I am very interested in studying Political, Criminal and Civil Law. I intend to master the aforementioned fields of study, rooted

from my inclination on getting involved in campaigning for the protection of civil and political liberties and rights. In this manner, I would serve as a reliable asset in appreciating specific sets of laws and jurisprudence and defend or protect people whose rights and liberties are deprived.

I will also strive to become an expert in laws involving Mass Media and Communication. Widely known as the fourth estate¹⁴, mass media, with its vast powers, play a huge role in shaping societies. The freedoms of speech, of the press and of expression, as constitutional guarantees, are sets of contentious liberties which needs to be further understood. I plan to mainstream the understanding of the laws involving how we communicate, how we craft messages, how we become learned and enriched with available information and the nitty-gritty of media and communication operations in the country. Not that I only plan to practice in this specialized field, I also plan to publish books and journals involving mass media and communication. I have observed, even during my undergraduate years, the limited literature involving mass media laws. In contributing to media literacy, specifically in making sense of the legal matters involving media, I am in a way safeguarding an important set of liberties. Moreover, I would like to join advocacy groups protecting journalists. As it appeared in the 2017 World Press Freedom Index, the Philippines ranked 127th most dangerous out of the 180 countries surveyed.¹⁵ It is unfortunate to admit that the conduits of truth and information are vulnerable to intimidation and threats. If I become a lawyer, this dearest cause to shield journalists through my legal knowledge is a high priority.

As a future lawyer, I also plan to further my advocacies. Aside from having a close affiliation with mass media, I have other set of advocacies including but not limited to the following: redistribution of lands, protection of labor rights and accessible education. I believe that a country's prosperity is not measured on the country's gross domestic product (GDP) or improved credit ratings; the true measure of prosperity is the quality of life that the people enjoy. To nurture prosperity in consonance with laws, it should transcend from ensuring a thriving economy by opening more opportunities to key business players, it should also assure that every person has a fair share of the economic pie. To nurture prosperity, the guiding principle shall be fairness, and not excess. Although men and women are naturally vested with self-interest, such human nature cannot justify corporate excesses,

¹⁴ Crichton, D., Christel, B., Shidham, A., Karmel, J., & Valderrama, A. (n.d.). Introduction. Retrieved June 05, 2017, from https://cs.stanford.edu/people/eroberts/cs181/projects/2010-11/Journalism/index7f0d.html?page_id=16

¹⁵ Asian Journal, News Report, Posted: May 02, 2017. (2017, May 2). World Press Freedom Index: The Philippines Still Dangerous country for Media. Retrieved June 05, 2017, from <http://newamericamedia.org/2017/05/world-press-freedom-index-the-philippines-still-dangerous-country-for-media.php>

discrimination, and utter disregard of laws to boost profit. To disregard another's right for self-interest is far from comprehension. It is not known to most of us, aside from upper class individuals who are naïve to the existing conditions of this ailing nation, that majority of the Filipinos live in despair due to the harsh realities that they face on a daily basis. I know that there are lawyer groups all over the country which seek to cater to the underprivileged and abused, and I want to eventually become part of it if I become a lawyer. Allegations that justice in this country is just for the moneyed class are prevalent in our society, as many people have long carried pessimism and distrust to the justice system. In such light, I aspire to win the cases of the underdog, of the hopeless, guided by the rule of law.

I also adhere to the philosophy that deference to the judiciousness of the political departments in invigorating our economy shall be maintained, and the complementary obligation of the judiciary and the officers of the court such as lawyers is to uphold the rule of law at all times. I do not worry to subscribe to such philosophy, as the Constitution is not blindsided by any capricious wisdom of the makers and enforcers of laws. In present time, judicial power includes the determination whether or not there has been a grave abuse of discretion amounting to lack or excess of jurisdiction on the part of any branch or instrumentality of the Government.¹⁶ Although limited in nature, an advocate and administrator of laws, which I aim to become, has a legal remedy to question and invalidate what may be manifestly detrimental to the nation's prosperity.

Working on my Law degree has given me an opportunity to take part in safeguarding our liberties and nurturing prosperity under the rule of law. Although the significance of my role is coupled with reasonable limitations, it should not limit me in doing necessary action to preserve our rights and liberties even in simple ways. Becoming part of people who want to raise the consciousness of people in understanding things better is a noble cause I want to be involved. As a future lawyer, safeguarding liberties and nurturing prosperity will remain as important ideals in properly accomplishing the task as an administrator of justice. I intend to specialize in fields of study of law where civil and political liberties are the vital concerns. I also want to become an expert in Mass Media and Communication laws, which field of study remains limited and needs further focus and attention. Furthermore, I intend to become an advocate of justice to the other side of the economic design, the victims of corporate greed and landlordism in the country.

¹⁶ Section 1, Article 8, 1987 Constitution

Most statements I have expressed in this roadmap are charged with great idealism. I am in pure joy that, despite the many reasons to forget imagining a better world due to the seemingly helpless state we are in, I never lose sight of the possibility that we can still better our nation. People in the legal profession have a huge role to play in changing the current state of affairs, albeit limited, and I am challenging myself, as early as now as a law student, to become part of the change.