

“Breaking the Barriers of Society and Holding the Fort of Law for Liberty and Prosperity”

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Through passing eras and changing times, the definition of liberty has been clouded by different ideologies. At one point, it merely meant the opposite of being in chains; for some, it was equality; for others, it was to do anything as they pleased without external opposition. For me, true liberty is the ability to do what is right and prosperity is the product of its utilization.

Liberty is not a single right, but a bundle of rights that cannot be dissected or invoked in isolation. A misguided concept of liberty and freedom would lead to anarchy where everyone can "freely" do everything he wants and, in the process, curtail the rights of others. That is not liberty as liberty is necessarily under the rule of law. True liberty is one under the compulsion to do right, for others to be free as well; one that was not gained by enslaving others; one that results into the collective prosperity of society.

The law binds as much as it liberates. The rule of law is an oxymoron that embodies in its concept both freedom and responsibility. It imposes limitations that simultaneously break barriers and create boundaries. While the rule of law aims to afford equal protection and opportunity and prevent the abuse of the privileged and the powerful, it nevertheless allows the movement of capitalistic motivations for both big businessmen and small entrepreneurs. If taken advantage of, the rights and restrictions under the rule of law result into the development of the whole community, not just an individual, a family, or a class. National prosperity is gained from genuine liberty and trickles down to the masses, in one form or another.

Though commonly associated with each other, prosperity does not necessarily refer only to monetary gain but also to non-material wealth such as education, security, and health. Liberty should be inherent in a democratic society; prosperity is the necessary consequence of its full and proper utilization. Simply put, safeguarding liberty is the first step in nurturing prosperity, and it cannot go another way.

Lack of liberty does not have to involve cuffs, chains or whips. As much as prosperity is the product of liberty - poverty, on the other hand, enslaves.

Several nations throughout history which have tried to curtail freedom and liberty in pursuit of “national” prosperity resulted only into enriching the persons in power and impoverishing the masses. Interestingly, in a study conducted by The Heritage

Foundation/Wall Street Journal, its annual Index of Economic Freedom showed a direct correlation between reduced government interference and regulations (dubbed as “economic freedom”) and the country’s ability to alleviate poverty and produce other benefits for its citizens such as better access to effective education or an overall better quality of life resulting to better health and longer lives¹. This is consistent with Nobel Prize awardee and world-renowned economist Milton Friedman with his theory that the maintenance of freedom prevents positions of privilege to be institutionalized and therefore creates diversity and offers opportunity to the disadvantaged². A more liberal economy gives fair chances for everyone to be involved in nation-building and profit from their economic pursuits, therefore shortening the gap between the rich and the poor.

Liberty cultivates creativity. Creativity breeds development. Development leads to prosperity. With more opportunities available to everyone, more people from different classes would be able to contribute to nation-building. It has been shown that countries with more economic freedom tend to push greater innovations in science and technology³. This is only a logical consequence to a free society which allows the exchange of ideas and flow of capital without unnecessary or oppressive government intervention. The State itself should grant every member of society the ability to express himself and participate in the formation of a thriving economy, regardless of social status or political clout. This could be achieved by honing the skills and talents of citizens by quality education, strong government support for business entrepreneurs and innovations, and promotion of a wider base of competition in different industries.

Economic liberty is not limited to the administration of businesses and investments. Another form of prosperity is health and the environment. The study also showed that people living in economically free societies live longer lives, generally have better health, and has more concern for the environment⁴.

Government enhancement of public health services and the enhancement of the general ergonomics directly affects the individual productivity of each citizen and their physical ability to work, invest, and innovate. Healthier citizens translate to a

¹ The Heritage Foundation, 2017 Index of Economic Freedom, http://www.heritage.org/index/pdf/2017/book/index_2017.pdf

² Holmes, *How Economic Freedom Reduces Poverty*, 2015, <http://dailysignal.com/2015/02/07/economic-freedom-reduces-poverty/>

³ *Supra* note 1

⁴ *Id*

stronger workforce, both intellectually and physically. The duty of the State towards its citizens regarding health does not stop at the medical field. It is the State's obligation to make sure that the worker has a continuous conducive environment for his occupation. After all, it is the worker's sweat and blood that fundamentally builds this nation's economy and ultimately leads to national prosperity. In this modern society, consideration of a worker's environment should not be limited to the worker's immediate surroundings during working hours. His productivity is also affected by the conditions of his daily commute. The improvement of public transportation and public roads and the cost and safety of travel, alongside with accessible and affordable healthcare system, should be a significant part of a nation's efforts in promoting liberty, this time referring to the physical ability to work, which also contributes to national prosperity.

Natural resources are the inherent wealth of a nation. Protection of the environment is a complex responsibility of both the State and the individual. On one hand, the consumption of natural resources is the privilege of both the government and its citizens; on the other hand, the maintenance of a balanced and healthful ecology is the accountability of every citizen to the youth and to future generations. Perhaps the most recent example of this dilemma would be the underwater-themed resort to be built by Nickelodeon in Coron. The project would generate jobs and trigger economic development throughout the community, however, it also may endanger Coron's corals and its marine biodiversity. In the end, the liberty to use natural resources should be harmonized with the obligation to conserve it for the next generation to likewise be able to benefit from it.

A more liberal society empowers its citizens towards collective prosperity, towards a cycle of progress and development. However, liberty and prosperity is not gained from an independent effort of the government. They are achieved from the cooperative effort of both the public and private sector in fulfilling their obligations – the government in ensuring that the individual's ability to do what is right under the law and for the betterment of himself and the community is kept; and the citizens in utilizing the rights granted under liberty within the bounds of law and morality.

As a law student, it is our duty to train ourselves early to have a character of an exemplary lawyer. One that gives hope of attaining true justice to those outside the bar. One that safeguards liberty and nurtures prosperity. A lawyer, as an officer of the Court, is an advocate of truth and justice. It may true that many have prospered in complicity, but as an "advocate of truth and justice" it is our responsibility to

uphold the laws of the land as laws are meant to protect us from ourselves – from our inner instincts of greed and self-preservation.

It is normal for people to look out for themselves first and foremost. However, lawyers and law students are expected to do more than that. The legal profession is a vocation that was created to serve the public, to bridge the gap between the laymen and the law. That is the duty of every lawyer, and even as early as now as law students, – to make sure that no barriers be made when there is none and the boundaries be kept if there are, all under the virtue of the rule of law. We are to hold the fort of the rule of law despite the difficulties of an evolving society. As lawyers, it is not enough that we know the law. We are to apply it within the bounds of its object and purpose.

Just as how liberty is a balance between freedom and responsibility, law students and lawyers alike should as well strike a balance between competence and honesty, honor and integrity. Our drive for excellence should be geared towards defending the rights of the people and upholding the lawyer’s oath. Our acquired knowledge of the law should not be used to oppress or deceive others who are less informed, and such knowledge should be used to enable people to fully utilize their rights and liberty towards prosperity under the rule of law.

As a law student, the philosophy of liberty and prosperity can nevertheless be promoted despite the inherent limitations of a young student through exploiting what we have the most: time. Time is the most valuable resource any person may have and it may compensate for what we inherently lack because of genes, gender, money or property, skill or intelligence, or the community or environment we were born in and with. And the best thing with time is that it’s free and equally available to everyone. Starting at an early age, training ourselves to become significant contributors to society would grow to manifest in our later achievements. This can be seen in the life work Jose Rizal as he struggled to break the barriers of being born an “*indio*”. He started at a young age, and despite dying early, his achievements and contributions to society and science, here in and abroad, remain almost unrivaled throughout Philippine history. We can see the same attitude and resilience with our modern-day tycoons; most of them has a rags-to-riches background. As a young student, our mission statement towards fulfilling the philosophy of liberty and prosperity may be summarized in two concepts: investment and information.

Investment refers to the capitalization of resources, and such is not limited to money or property alone. As earlier stated, time is an invaluable, irreplaceable asset which

students at a young age have the luxury of. Another valuable resource is education. As a law student, investing in our education would help us fulfill our mandate of serving the people in our future legal careers. Education liberates and empowers, and if used appropriately, its effect ripples throughout society.

Honor and integrity are also resources to be invested in which are hard to reacquire when lost. As officers of the Court and advocates of truth and justice, it is the foremost duty of every lawyer to keep the trust of the people towards the justice system because when people lose faith in the Court, the rule of law will be lost and anarchy ensues.

Information is the key to liberty under the rule of law, and it is the duty of every lawyer to enlighten people of their rights and obligations. As an old saying goes: “knowledge is power”. Our education should not stop with ourselves but must be shared with others. This is how we ensure that the laws of the land are fully operational. In the age of social media and the recent spreading of fake news or “alternative facts”, lawyers and law students alike are to be expected to rise above it and be the source of truth.

Safeguarding liberty is the collective duty of everyone, whether in practice of law or as a private citizen. This guarantees that every Filipino has the ability to do what is right. It is then the duty of law students and lawyers that Filipinos would -want- to do what is right through education and information of their friends, clients, and/or the community. Only then can we fully take advantage of our available resources and nurture prosperity, not just for a selected few but for the whole country.