

THE ROOM WHERE IT HAPPENS: LIBERTY, PROSPERITY, AND THE COLLAPSE OF THE RULE OF LAW.

An Essay on the Philosophy of the Foundation for Liberty and Prosperity

*We want our leaders to save the day
But we don't get a say in what they trade away
We dream of a brand new start
But we dream in the dark for the most part
Dark as a tomb where it happens
I've got to be in the room (room where it happens)
- The Room Where It Happens*

I. INTRODUCTION: THE ROOM I REMEMBER

In Lin-Manuel Miranda's *Hamilton*, the song “*The Room Where It Happens*” highlights about the exclusivity of The Room and how it is shrouded in mystery. Aaron Burr, excluded from the intangible room where consequential decisions are made, sings with barely concealed jealousy about leaders deciding the nation's fate behind closed doors—unchecked and unaccountable. The song's deeper question, what happens in the room, and who guarantees that what happens there legal, is not merely a historical curiosity but is the central question of the current political moment.

I was born in 1998. By the time I was old enough to make sense of governance (around 2009 to 2012), I grew up watching leaders who seemed to understand that the room had rules and they can't just break the change the rules as they see fit. President Benigno Aquino III entered Malacañang in 2010 with the campaign slogan “*Kung walang corrupt, walang mahirap*”, and the governing philosophy of *Daang Matuwid*.¹ He embodies this when he removed the presidential *wangwang* from his motorcade on his first day in office — symbolizing the removal of the siren of impunity. While across the Pacific, Barack Obama spoke about the audacity of hope and about constitutional democracy, symbolizing a nation where the rule of law is the checked to uncorrupted power. While they were not perfect leaders, they

¹ Inquirer, "The Aquino Legacy: On to Daang Matuwid, no to wangwang," <https://newsinfo.inquirer.net/1450949>.

performed their obeisance to the rule of law, and such perception is important for when one changes their perception, they change their reality.

But that world feels very distant now. Within a decade, those norms were not merely bent, they were discarded publicly and with impunity. Hence, this essay argues that the philosophy of the Foundation for Liberty and Prosperity, anchored on the twin beacons of liberty and prosperity under the rule of law, as articulated by retired Chief Justice Artemio V. Panganiban, has never been more urgently necessary; and that its defense must begin with a clear-eyed understanding of how comprehensively it has been attacked.

II. THE PHILOSOPHY: LIBERTY AND PROSPERITY UNDER THE RULE OF LAW

Chief Justice Panganiban's framework begins with a truth he finds universal, drawn from Dr. Martin Luther King Jr.: *"If a man does not have a job or an income, he has neither life nor liberty nor the possibility for the pursuit of happiness. [He merely exists.]"*² From this, he builds his central argument: humans need both justice and jobs; freedom and food; ethics and economics; peace and development; liberty and prosperity; these twin beacons must always go together; one is useless without the other.³

As Professor Elizabeth Aguilino-Pangalangan explains under the CJ Panganiban Professorial Chair, *liberty* in this framework embraces civil and political rights, which was guaranteed by the International Covenant on Civil and Political Rights; while *prosperity* embodies economic, social, and cultural rights under the International Covenant on Economic, Social and Cultural Rights.⁴ Together with the Universal Declaration of Human Rights, these instruments form the International Bill of Human Rights. The two sets of rights are interdependent and connected with each other, and one cannot exist without the other. Liberty must include the freedoms that prosperity allows, and in the same manner, prosperity must include liberty, especially the liberty to strive for the good life according to a person's conception.

The rule of law is the indispensable blueprint from which both are achievable. CJ Panganiban states this economic corollary: the surest way to conquer poverty and create shared wealth is to unleash the entrepreneurial genius of people by granting

² Artemio V. Panganiban, "Unleashing Entrepreneurial Ingenuity," Address at the 12th General Assembly of the ASEAN Law Association (Feb. 26, 2015), <https://cjpanganiban.com/2015/02/26/unleashing-entrepreneurial-ingenuity/> (quoting Dr. Martin Luther King Jr.).

³ *Id.*

⁴ Elizabeth H. Aguilino-Pangalangan, "Parents and Children: When Law and Technology Unbundle Traditional Identities," CJ Panganiban Professorial Chair Lecture 1 (June 2019), <https://libpros.com/wp-content/uploads/2019/06/final-paper-lp-lecture-adoption-surrogacy.-6.2019.pdf>.

them the freedom and the tools to help themselves and society. The fisherman in his Confucian analogy — who was taught to fish, given a boat, freed to sail — cannot flourish without legal institutions that protect his boat from seizure, his earnings from extortion, and his safety from arbitrary violence. Without the rule of law, liberty collapses into the privilege of the powerful, and prosperity degenerates into wealth captured and hoarded only by the upper echelon. The rule of law is not an obstacle to liberty and prosperity — it is their only reliable aegis.

III. THE COLLAPSE: WHEN THE ROOM HAS NO RULES

A. From Daang Matuwid to Flagrant Impunity

Aquino III's administration was imperfect — the PDAF pork barrel scandal, the unconstitutional Disbursement Acceleration Program, and the failures at Mamasapano. Yet these shortcomings existed within a system that still acknowledged its hands are limited by the law and constitution. When the Supreme Court struck down the DAP, the administration complied. When Aquino's predecessor was charged with plunder, the courts were allowed to proceed. The national debt grew at an average annual rate of 4.4 percent — the slowest of any post-EDSA president — while GDP grew at 6.2 percent, the fastest across seven presidencies.⁵ The imperfections of Daang Matuwid were the imperfections of a government that tried to govern within the room's rules, even when it bent them.

The contrast with what followed is stark. Under Rodrigo Duterte, the national debt more than doubled — from P5.94 trillion to P12.79 trillion — a P6.84-trillion increase that exceeded the combined borrowings of every previous president since Marcos Sr.⁶ That fiscal explosion on debt was accompanied by administrative-sanctioned institutional demolition: extrajudicial killings in the drug war being the norm and not condemned nor investigated, Chief Justice Sereno ousted through quo warranto proceedings and not through impeachment, pulling out of ICC jurisdiction preemptively, and human rights organizations publicly branded as destabilizers and likened to enemies of the State. Then, the Marcos Jr. administration has continued with the ballooning debt trajectory, with national debt reaching P16.75 trillion by April 2025 and projected to hit P23 trillion by 2028.⁷ As someone trained in accounting, I read these numbers not merely as fiscal data but as governance data for every peso of debt incurred is a peso extracted from the people.

⁵ Philippine Daily Inquirer, "All our presidents' debts" (Sept. 24, 2024), <https://opinion.inquirer.net/177036/all-our-presidents-debts>.

⁶ GMA News Online, "Recto bares how much PH debt has risen from Marcos Sr. to Marcos Jr." (Aug. 14, 2024), <https://www.gmanetwork.com/news/money/economy/917104/> (Bureau of the Treasury data).

⁷ David Dizon, National debt might hit P23 trillion by 2028 — Lacson, ABS-CBN News, July 31, 2025, <https://www.abs-cbn.com/news/business/2025/7/31/national-debt-might-hit-p23-trillion-by-2028-lacson-1208>.

What changed between Aquino and what followed was not just administrative policy but the willingness to be openly above the law and break it. This is the shift that defines our era: The cheek, the nerve, the gall, the audacity, and the gumption of leaders who no longer pretend to hide their corruption.

B. The Global Pattern: From Gaza to Moscow to Washington

This is not only a Philippine phenomenon. On January 26, 2024, the International Court of Justice ordered Israel to prevent genocide, ensure humanitarian access, and report on compliance within one month.⁸ One month later, human rights organizations documented that Israel had failed to comply — aid trucks entering Gaza actually decreased after the ruling.⁹ Israel publicly rejected the ICJ's interpretation of the May 2024 order and continued its military offensive. A state openly defying the world's highest judicial authority, with its most powerful ally declaring the case meritless and continuing arms transfers. This is the state of international rule of law — the perception of its authority has been shattered.

Russia's invasion of Ukraine in 2022 violated the UN Charter's prohibition on the use of force. The ICJ indicated provisional measures requiring Russia to suspend operations, but Russia ignored them.¹⁰ The ICC issued an arrest warrant for President Putin for war crimes, however, ICC member states that could and should have acted, unfortunately, did not. The United States unilaterally withdrew from the Iran nuclear deal in 2018, sending a message to the international community that binding multilateral agreements hold only until the next administration decides otherwise.¹¹ The COVID-19 pandemic then accelerated every authoritarian tendency already present: emergency powers concentrated executive authority, bypassed legislative accountability, and in several countries enabled corrupt procurement on a massive scale. In the United States, the national debt has approached \$37 trillion, which is the product of successive administrations that cut taxes and increased spending without credible legal or fiscal constraint, with the CBO now projecting it to exceed \$52 trillion by 2035.¹²

⁸ International Court of Justice, Application of the Convention on the Prevention and Punishment of the Crime of Genocide (South Africa v. Israel), Order of Jan. 26, 2024, <https://www.icj-cij.org/node/203447>; Human Rights Watch, "Gaza: World Court Orders Israel to Prevent Genocide" (Jan. 26, 2024).

⁹ Human Rights Watch, "Israel Not Complying with World Court Order in Genocide Case" (Feb. 26, 2024), <https://www.hrw.org/news/2024/02/26/israel-not-complying-world-court-order-genocide-case> (aid truck average fell from 147/day before the ruling to 93/day in the three weeks following).

¹⁰ ICJ, Allegations of Genocide (Ukraine v. Russian Federation), Provisional Measures Order of Mar. 16, 2022; ICC, Arrest Warrant for Vladimir Putin (Mar. 17, 2023).

¹¹ US Department of State, Statement on US Withdrawal from the JCPOA (May 8, 2018).

¹² Pew Research Center, "Key Facts about the US National Debt" (Aug. 13, 2025), <https://www.pewresearch.org/short-reads/2025/08/12/key-facts-about-the-us-national-debt/> (CBO projects debt to exceed \$52 trillion by 2035).

C. The Cult of Personality and the Corruption of Citizens

But probably, the most disturbing aspect of this collapse is not what leaders have done but what their followers have accepted. I grew up surrounded by people who spoke thought positively about due process, cared about the rising national debt, and human rights, and these same people, in the years since 2016, have defended extrajudicial killings, excused debt explosions, dismissed court rulings as partisan, and attacked human rights organizations as foreign agents. Such actions, which formerly intolerable, was celebrated and praised. The transformation is widespread enough to constitute a social phenomenon. To quote Padme Amidala from the *Star Wars*, “*So this is how liberty dies... with thunderous applause*”.

Political scientists Levitsky and Ziblatt, in *How Democracies Die*, identify the mechanism: democratic erosion comes most often not through coups, but through elected leaders who weaken institutional guardrails while retaining popular legitimacy.¹³ The cult dynamic is the engine of this erosion. A leader presents himself as the embodiment of the people's will; the legal institutions that constrain him are therefore reframed as instruments of elites against the people (i.e. the Deep State); and followers come to define loyalty to the leader as identical to loyalty to the nation. In this structure, defending actual human rights violations, committed by the Supreme Leader, is not cognitive dissonance — it is logical. If the courts, the press, and the human rights bodies are all enemies of the people's leader, then destroying them means destroying the enemy.

This dynamic is visible in Hungary under Orbán, in Turkey under Erdoğan, in Russia under Putin, and in the United States in the events of January 6, 2021, when citizens stormed the Capitol to prevent the certification of a lawful election because they had been persuaded that the legal outcome was itself illegal.¹⁴ Formerly rational, liberal-minded people — people who would have condemned these acts under any other political framing — became their defenders, because their leader told them the Constitution itself was the enemy. This is the deepest form of rule of law collapse: when leaders break the perception of upholding the rules, the population chooses the leader and not the law.

D. The Cascade of Small Violations

The rule of law does not collapse in a single dramatic moment. It erodes through small violations that are excused, normalized, and escalated, essentially

¹³ Steven Levitsky & Daniel Ziblatt, *How Democracies Die* (2018).

¹⁴ Congressional Research Service, January 6, 2021: The Capitol Breach (2021).

moving the goalposts. The *wangwang* removed on Aquino's first day was not a trivial symbol — it signaled that the head of state is subject to the same traffic rules as everyone else. Its restoration signals the opposite. From the first publicly announced exception to due process, the cascade is predictable: if due process is optional in drug cases, why not in political dissent cases? If procurement rules can be bypassed for emergencies, why not for infrastructure? If the Chief Justice can be removed by political pressure, are any courts genuinely independent? Each small exception erodes the expectation that the next rule will hold — producing, over time, the fiscal devastation, the impunity, and the international contempt for legal authority that we now observe.

IV. WHAT IS LOST — AND WHAT MUST BE RECLAIMED

The consequences fall most heavily on the people CJ Panganiban's philosophy was designed to serve. When courts are captured, the poor lose their great equalizer against the powerful. When procurement rules are bypassed, public funds that could have built hospitals and schools enrich politically-connected contractors. When debt accumulates without accountability, the burden falls on future generations through cuts to the public services. A Filipina mother who lost her son to a drug-war killing has been deprived of both liberty and prosperity — his right to life and due process (*liberty*), and the economic contribution he would have made to his family (*prosperity*). This is precisely what CJ Panganiban means when he insists that liberty and prosperity are inseparable: the violation of one is always, simultaneously, an attack on the other.

V. PROMOTING THE PHILOSOPHY — AS STUDENT AND AS LAWYER

I want to be in the room. Not as Burr, not for the proximity to power, but because the room is where liberty and prosperity are either protected or surrendered. Musical-Hamilton's contrast with Burr is instructive: Hamilton wanted to be in the room because he wanted to build something but Burr simply wanted to be the room where it happens. Hamilton's — and not Burr's is the posture I carry and want to continue to carry into law school and into practice.

As a student, I will promote this philosophy through intellectual consistency: applying the same legal standards regardless of whose political interests are at stake. The cult dynamic operates precisely through selective reasoning — rights invoked when they favor one side, dismissed when they do not. The antidote is practitioners

who refuse this selectivity, who defend due process for people they dislike and challenge government overreach by administrations they support.

Furthermore, I will use my background in accounting to bridge the gap. One of the reasons the rule of law fails is that most citizens do not understand the direct connection between legal accountability and their daily lives. They do not see that the P7-trillion debt increase under one administration directly reduces the government's capacity to fund their future. Hence, making these connections visible is a form of civic education that I am positioned to provide.

In my legal career, I am committed to several things. First, principled and consistent practice: I will not be the lawyer who finds clever arguments to shield the powerful at the expense of the vulnerable. When legal ethics require me to defend the unpopular or challenge the entrenched, I will do so. I will carry into every matter the understanding that corporate transactions have human rights dimensions, that tax law has social justice implications, and that administrative law has real consequences for the poorest Filipinos who depend on government services. Moreover, I will not accommodate, defer, or gradually rationalize the erosion of legal norms. It has been said that lawyers and courts, as the great equalizer, can serve as the missing link between promulgation and realization of human rights norms. I intend to be part of that link.

VI. CONCLUSION: BACK TO THE STRAIGHT PATH

The memory of leaders who at least tried to follow the rules is not nostalgia — it is proof that a different kind of governance is possible. Daang Matuwid was imperfect. Obama's America was imperfect. But the data shows what commitment to the rule of law produces even when imperfectly applied: lower debt ratios, higher growth, functioning anti-corruption institutions, legal arguments in international forums instead of raw power. The standard was imperfectly held. But, nonetheless, it was held.

What has changed is not the difficulty of the standard but the willingness to abandon it openly, and to build mass political loyalty around that abandonment. Against this, the philosophy of liberty and prosperity under the rule of law is not a comfortable academic position. It is a fighting creed. It insists, against the powerful evidence of this era, that human beings need and deserve both freedom and flourishing, that these are not gifts from leaders but inherent rights that must be treasured and protected, and that the only way to protect them is through legal

institutions that no one — not the president, not the general, not the sovereign state — stands above.

I enter the legal profession carrying this creed. I want to help ensure that what happens in the room is bound by law, accountable to the people, and directed toward the liberty and prosperity of every person — especially those who was not even allowed to hover near the door. That is the straight path. And it is the only way to build the republic that both Musical-Hamilton and CJ Panganiban, separated by centuries and oceans, devoted their lives to imagining.