

A Truth so Simple yet Profound: Interdependence of Liberty and Prosperity under the Rule of Law

The philosophy of liberty and prosperity under the rule of law captures, to borrow the words of the retired Chief Justice Artemio V. Panganiban, a truth so simple yet so profound.¹ At its core, it reflects a fundamental reality of human society: which do we need more—bread or the vote, jobs or rights, the economy or democracy? The answer is that we cannot choose, for a just, enduring, and flourishing society requires and deserves both.

Liberty and prosperity constitute what the Chief Justice Panganiban championed as the twin beacons of justice. Under this paradigm, liberty and prosperity are enshrined as values which all people ultimately require and deserve in equal measure.² Chief Justice Panganiban even went so far as to consider liberty as useless without prosperity, and vice versa.³ The two values are interdependent, such that the nurturing of one reinforces the other.⁴ The twin beacons, however, by themselves, remain only as goals that are unattainable absent a blueprint for their realization. It is the rule of law which provides the framework that provides the means by which these goals may be achieved. The rule of law serves as the cornerstone that safeguards liberty and nurtures prosperity, effectively ensuring that the balance between these two beacons are transparent, predictable, stable and sustainable over the long term.⁵

The concept of liberty encompasses the vast basket of fundamental civil and political rights, such as the right to live peacefully, earn a living, participate in political processes, the freedoms of speech, assembly, and religion, and the protections from illegal arrests, arbitrary searches and seizures, and due process.⁶ Its essence is perfectly encapsulated in Chief Justice Panganiban's description as the “freedom from fear”.⁷ The concept of prosperity, on the other hand, embodies economic, social and cultural rights, which represent, as Chief Justice Panganiban

¹ *Unleashing Entrepreneurial Ingenuity*, THE PERSONAL WEBSITE OF RETIRED CHIEF JUSTICE PANGANIBAN, at <https://cjpanganiban.com/2015/02/26/unleashing-entrepreneurial-ingenuity/>

² *Icons of Entrepreneurship and Nation Building*, THE PERSONAL WEBSITE OF RETIRED CHIEF JUSTICE PANGANIBAN, at <https://cjpanganiban.com/2016/04/19/icons-of-entrepreneurship-and-nation-building/>

³ *Supra* note 1.

⁴ *Spreading the Gospel of Liberty and Prosperity*, THE PERSONAL WEBSITE OF RETIRED CHIEF JUSTICE PANGANIBAN, at <https://cjpanganiban.com/2006/08/25/spreading-the-gospel-of-liberty-and-prosperity/>

⁵ *Towards a Just World Society*, THE PERSONAL WEBSITE OF RETIRED CHIEF JUSTICE PANGANIBAN, at <https://cjpanganiban.com/2008/05/08/towards-a-just-world-society/>

⁶ *Id.*

⁷ Elizabeth H. Aguiling-Pangalangan, *Parents and Children: When Law and Technology Unbundle Traditional Identities*, at 2 (2019) (Final Paper on Foundation of Liberty and Prosperity Lecture).

puts it, “freedom from want”.⁸ This includes the right to a job, income, food, clean water, quality education, healthcare, and decent housing.⁹ It does not merely refer to the accumulation of individual wealth, but rather the freedom to strive for a good life according to one’s own conception.¹⁰

While the goals of liberty and prosperity are noble, they remain uncertain, at best, and fictional, at worst, absent a framework that protects them. According to Chief Justice Panganiban, it is the rule of law which fulfills this vacuum, allowing society to safeguard liberty and nurture prosperity. Under the rule of law, no person, regardless of power, wealth, or talent, is above the law—everyone is beholden to follow the pre-agreed set of rules. The government must be transparent, predictable, and stable in their policies and actions, as political instability threatens the sustainability of development over the long term.¹¹ The system must also provide mechanisms to hold officials of government accountable to the people, through political and judicial processes. It requires a true democracy, where shortcuts to justice and the idea that the ends justify the means are rejected, adhering faithfully to constitutional processes.¹² It is built upon the fundamental tenet that no person shall be deprived of life, liberty, or property without the due process of the law.

The conceptual relation between liberty and prosperity, and their relation to the rule of law is apparent and intuitive. To those experiencing severe poverty, fundamental rights of free speech may lose practical relevance. Conversely, it is the recognition of political liberty, particularly by allowing ideas to flow freely, that foster innovation and entrepreneurship. This first relationship is described by Chief Justice Panganiban as being one of interdependence and indivisibility.¹³ On the other hand, the second relationship is described as the rule of law being the necessary means by which the twin beacons are achieved, as well as the regulator that ensures such values do not devolve into chaos or exploitation.¹⁴ Absent the protection of the law, the rights and properties of individuals are left to the whims and caprices of the rulers. Where there is no government that recognizes and enforces our political rights, the bill of rights becomes a mere recital which provides no true protection, no matter how lofty such rights sound. Similarly,

⁸ *Parents and Children: When Law and Technology Unbundle Traditional Identities*, THE PERSONAL WEBSITE OF RETIRED CHIEF JUSTICE PANGANIBAN, at <https://cjpanganiban.com/2019/06/21/parents-and-children-when-law-and-technology-unbundle-traditional-identities>

⁹ *Supra* note 7.

¹⁰ *Supra* note 8.

¹¹ *Supra* note 5.

¹² *Id.*

¹³ *Supra* note 8.

¹⁴ *Supra* note 1.

where no government protects our property rights, who is to stop the ruler or a stronger neighbor from taking our hard-earned land? On the other end of the spectrum, where no government regulates, wealthy businessmen can easily establish monopolies and raise prices to the detriment of the masses. The stability and predictability that the rule of law provides is not only desirable, but indispensable for the achievement of liberty and prosperity. In the same vein, the rule of law keeps the flourishing of liberty and prosperity in check, such that they remain sustainable and in service of the common good.

The beauty of the philosophy of liberty and prosperity under the rule of law is that it is easily observable across countless areas of society — for indeed, it has captured a truth in society that is so simple yet so profound. As early as the 1919 case of *Rubi v. The Provincial Board of Mindoro*, the Court defined the concept of liberty to include “the right of the citizen to be free to use his faculties in all lawful ways; to live and work where he will; to earn his livelihood by any lawful calling; to pursue any avocation”.¹⁵ Gleaned from this is that the Supreme Court, in one of its earliest decisions to define liberty, has understood the concept not to be limited to political rights, but inseparably to economic rights as well (i.e. the right to earn a livelihood, to choose one’s work). More aptly, the same case also emphasizes that the liberty understood in democratic societies is a “liberty regulated by law.”¹⁶

In the field of public international law, the philosophy manifests in the clearest way possible. The International Covenant on Civil and Political Rights (“ICCPR”) and the International Covenant on Economic, Social and Cultural Rights (“ICESCR”) are treaties that constitute two of the three foundational documents that make up the International Bill of Rights. The ICCPR prohibits state parties to intrude on a vast array of fundamental civil and political rights enjoyed by all persons, while the ICESCR enjoins a state to progressively fulfill economic, social, and cultural rights of people, not least in work, health, education, and standard of living. Violation of these treaties constitute an internationally wrongful act. It is thus clear that there is universal recognition by the international community of the interdependence and imperative value of liberty and prosperity in the progression of humanity and development of society, as well as the medium to realize them—the rule of law.

Several economic studies lend support to the integrity of the philosophy. A 2021 study reported that there is a high statistical correlation between poverty and

¹⁵ G.R. No. 14078, March 7, 1919.

¹⁶ *Id.*

non-participation in voting.¹⁷ Some factors that contribute to this are the financial barriers of having to vote, precinct availability, personal challenges, whether in health or education, and the psychological feeling that the government has abandoned them. Interestingly, a 2026 study also found that persons who grew up in poverty participated in political processes in their adulthood, highlighting the sustained impact of childhood poverty in exercising political rights.¹⁸ On the other hand, in one of the seminal papers in development economics entitled “Economic Growth in Asia”, Sachs et al. found that it is government policy which determines economic growth most significantly.¹⁹ In particular, the openness of the government to trade was found to be the most significant variable. These studies collectively demonstrate, at an empirical level, the principles posited by the philosophy. Evidence shows that liberty and prosperity are interdependent and reinforce one another.

The interaction of liberty and prosperity, I have realized, has always been close to home for me. First, my undergraduate course is economics. Combining it with my training in law gave me a point of view that adheres to the philosophy of liberty and prosperity under the rule of law. During my undergraduate studies, I always wondered why it is so difficult for the government to enact laws that are clearly economically sound. The epitome of this is in curbing population growth. It is proven both theoretically and empirically that population growth at unsustainable levels is detrimental to the economic development of a nation. As our Prof. Solita Monsod puts it during our class lecture, population growth pushes the day when the benefits of economic growth are realized. Thus, I have always wondered why the government does not establish statutes for population control; and I have always dismissed such as being due to politics. While that is, for sure, at least partly true, the study of law has allowed me to view from a particular lens that was invisible to me prior thereto.

Law has shown me that there is a certain basket of fundamental rights that the government cannot encroach upon unless absolutely necessary — or to be more precise, where there is compelling state interest. These rights arise by virtue of our humanity, and thus, require protection even if they are uncoded. The matter of pregnancy is at the intersection of many of these rights, such that the state must overcome an impossible burden to prove the legitimacy of any attempts to

¹⁷ Michael Redzich, *Poverty, Place and Voter Participation: Bridging the Gap*, 28 GEORGETOWN JOURNAL ON POVERTY LAW AND POLICY 201 (2026).

¹⁸ Clara Weißenfels, *Childhood poverty and political participation: The role of family, gender and economic mobility*, 99 ELECTORAL STUDIES 29 (2026).

¹⁹ Steven Radelet, Jeffrey Sachs, & Jong-Wha Lee, *Economic Growth in Asia*, HARV. INST. INTL. DEV. (1997).

absolutely control the population. The study of economics instilled in me the importance of economic growth to improve the lives of people, and the integral role of the government as the manager of the economy. The study of law, on the other hand, taught me that there are rights that must be put beyond the reach of the state. In synthesis, it is perhaps more desirable for the government to settle with less than the most optimal economic outcomes rather than risk opening our fundamental rights to the intrusion of the state. A caveat must necessarily be made that economic growth, nonetheless, cannot be dispensed with. Thus, in the final analysis, the complete picture is not always provided by the optimal economic outcome, as in population growth, but in the balancing of liberty and prosperity.

I remember a lecture from Prof. Solita Monsod during our developmental economics class, where she stated that, while economic growth is generally positive, it may be ruthless (i.e. not inclusive, centralized), rootless (i.e. where the people forget their culture and heritage) or futureless (i.e. there is growth at expense of future generations). Economic growth, by itself, and the accumulation of wealth of a nation is insufficient to foster true economic development—one which improves human lives and conditions. In the same lecture, Prof. Monsod taught us that one of the characteristics of the most successful countries is a capable government, who optimizes the markets and maximizes benefits for all people which, if I may add, will be through the rule of law. Indeed, the philosophy of liberty and philosophy under the rule of law is one which I have learned and believed as true as a concept even before I heard of its articulation.

Another area in my life where I have seen the relationship of liberty and prosperity operate with regard to my father, who is an OFW. I saw this specifically as regards how he votes in the election of national officials. That is, I remember him providing almost an automatic vote, first, to the candidate who has mentioned any program for OFWs, and second, one that is popular among OFWs.

I am a son of an OFW, which is a situation that is not unique. In fact, with more than two million OFWs, this may be the truth for hundreds of thousands, if not millions of families in the Philippines. Clearly this is not unique—and that is the problem. As jobs are scarce locally, need pushes our countrymen outwards to look for opportunities that our motherland cannot provide. This translates to millions of missed birthdays, unattended graduations, countless events unheard, where kids spend most of their time growing up away from one of their parents. I do not want the same to be the permanent narrative of the Filipino people. No son or daughter should be having to doubt or wonder whether any of their parents will be able to come in some of the most important events in their young lives. In the same

breadth, no parent should be required to have to make that choice out of necessity and lack of jobs. Moreover, these people should not be exercising their fundamental rights, such as their right to vote, provided they can even exercise it, in such a manner so narrow that it is solely based on their being an OFW.

It is with this context that I hope to devote my legal practice to the realization of this goal, no matter what the designation of my job will be. Clearly, the OFW issue may be viewed, and perhaps, addressed through the philosophy of liberty and prosperity under the rule of law. The principal reason for the migration is the lack of competitive jobs in the country—which is a prosperity issue. While they have the same rights as all citizens, their working situation renders such rights constricted—a liberty issue. The two issues reinforce each other. Thus, the solution may perhaps be found if the issue of OFWs is addressed through this lens.

The philosophy remains of clear significance and import even before I enter my practice into law. As I have demonstrated, I have already encountered, and later believed in, the principles of the philosophy even before I entered law school. I genuinely believe that I have, in some ways, helped promote the philosophy through my insistence, whether to my classmates or professors, that principles of economics and law influence one another. In smaller ways, I help promote the philosophy by pointing peers to the page of the Foundation so that they may consider the various opportunities the latter provides. In more important ways, I also hope to promote the philosophy attempting to apply the same in real-life situations, specifically in our coming practicum with the Office of Legal Aid.

On balance, the philosophy of liberty and prosperity under the rule of law forwards that, first, the values of liberty and prosperity are interdependent, where one should not be considered a pre-condition for the other, but rather, they must both be improved to bring about development in society; and second, that the rule of law is the indispensable means by which the twin beacons are realized. As Chief Justice Panganiban champions, to which I concur, seeing society and its issues through the lens of the philosophy provides answers that may otherwise be invisible. The philosophy is not a silver bullet which can cure all ailments of society—nor is it meant to be. Instead, it allows us to reframe our views towards particular issues, and in consequence, identify more accurately the cause of the problem in the hope of providing a proper solution. In my case, the issue of having so many OFWs may be properly viewed through the lens of the philosophy, and perhaps, in the future, I could use the philosophy to alleviate the problem.