

# THE REVOLUTIONARY IMPERATIVE OF LAWYERS IN THE PHILIPPINES\*

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*No great improvements in the lot of mankind are possible, until a great change takes place in the fundamental constitution of their modes of thought.<sup>1</sup>*

## PREFACE

Quo vadis, lawyer? This is a question which law students and lawyers must address at some point in their careers.

For graduating students, in particular, the problem looms large and uncompromising. Many students have set their sights upon a partnership in a prestigious and established law firm. Others want to establish a private practice of their own. Some may opt for a sinecure in the government service. A pitiful few are considering the less lucrative non-government organizations and are already thinking of ways to augment their incomes. For most, the future seems to be where the big bucks are in this country, in corporate lawyering for big business. The options are as varied as the reasons for joining the legal profession.

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<sup>1</sup>J. MILL, AUTOBIOGRAPHY AND OTHER WRITINGS 142 (1969).

Public opinion of the profession is just as varied. People seem to have a most ambivalent attitude about lawyering. Although many people, including most members of the profession themselves, may continue to regard the profession highly, the general view seems to be the opposite. This latter view is not without basis.

The legal profession as it is generally practiced seems to reduce the lawyer to nothing more than a mere legal technician who, like a mercenary, is given a job to do by whatever means available, and is paid for the same. Lawyers, it is sad to note, have wittingly or unwittingly been party to the commodification of the profession. This way of practicing the profession is antithetical to its very essence.

This paper proposes a fundamental change in the legal consciousness of members of the legal profession. It is submitted that, to be true to the essence of his profession, every lawyer must work for the interests of justice. Not justice as the ruling class would define it, but justice as the majority of the people understand it. This is the revolutionary imperative of the lawyer.

### INTRODUCTION

Despite its venerable age and its status as one of the oldest of the learned professions, the legal profession has not enjoyed an esteemed reputation. Literature does not deal kindly with the lawyer. From the Bible to Shakespeare to Dickens to Kafka, the idea seems to be that an ethical lawyer is a contradiction in terms.

In the Gospel of Luke, Christ chides the lawyers: "Woe to you lawyers for you load men with burdens hard to bear, and you yourselves do not touch the burdens with one of your fingers",<sup>2</sup> "for you have taken away the key of knowledge; you did not enter yourselves, and you hindered those who are entering."<sup>3</sup>

Public perception of lawyers is not very high. Surveys made in the Philippines rank lawyers below doctors and engineers in the public

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<sup>2</sup>Luke 11:45.

<sup>3</sup>Luke 11:52.

perception.<sup>4</sup> In the United States, according to Penthouse magazine, in what one can only hope was a tongue-in-cheek observation, lawyers were ranked somewhere around politicians and serial killers in the public esteem.<sup>5</sup>

Even legal writers, themselves members of the profession, have described the legal profession as a "medium for personal convenience and enrichment";<sup>6</sup> a "creature of the market, ... a commodity";<sup>7</sup> as a "defender of established interests";<sup>8</sup> a "venal hodgepodge of troublemakers (who) ... infuriate us as amoral masters splitting hairs, obscuring clear issues, and milking the public of hard-earned wealth by preying on their troubles".<sup>9</sup>

The negative public perception of the legal profession lends persuasiveness to the suggestion of "banning lawyers from the law"<sup>10</sup> and the ultimate solution of killing all the lawyers.<sup>11</sup>

Viewed from within, however, by the legal practitioners themselves, the legal profession presents a more attractive portrait. In a survey conducted among lawyers in the Philippines, seventy-four percent of the respondent lawyers indicated that they would still choose law as a profession; eighty percent would recommend it to others. The same survey concluded that "lawyers derive basic satisfaction from the inherently service orientation of the profession" and that "they believe that the prestige of their profession lies in the objective function of bringing about justice in the most meaningful social sense". It also notes the high ideals of lawyers to "take personal

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<sup>4</sup>Irene R. Cortes, *Bench and Bar: New Directions in Ethical Aspirations*, 16 J. INTEG. BAR PHIL. 7, 9 (1988).

<sup>5</sup>G. VAN DER LEUN, *The Penthouse Law Review: Games*, PENTHOUSE 144 (May 1989).

<sup>6</sup>BONIFACIO and MAGALLONA, A SURVEY OF THE LEGAL PROFESSION IN THE PHILIPPINES 177 (1987).

<sup>7</sup>*Id.*, at 176.

<sup>8</sup>Friedmann, *The Role of Law and the Function of the Lawyer in the Developing Countries*, 17 VAN. L. REV. 181 (1963).

<sup>9</sup>R. KIDDER, *Connecting Law and Society: AN INTRODUCTION TO RESEARCH AND THEORY*, 210 (1983).

<sup>10</sup>*Id.*, at 211.

<sup>11</sup>From William Shakespeare's *Henry VI*, 2nd part: "The first thing we do, let's kill all the lawyers."

risks when necessary to assure that justice is done" and "to work despite poor incentives".<sup>12</sup>

If members of the legal profession know the public responsibility their profession entails and aspire to live up to its noble ideals, how can the unflattering public perception of the profession be explained? Can it be ascribed to the professional and ethical inadequacy of individual lawyers? Or is the negative public opinion tied up with the perception that the legal profession is inherently conservative and that lawyers are defenders of established interests?

Assuming such a conservatism, what is the reason behind it? Is the legal profession as it is practiced innately conservative or is its perceived conservatism the result of the conservatism of law itself?

It is said that a single lawyer in a small town would starve to death but two would live quite well. This implies that a lawyer thrives on trouble and chaos. It is likely that he might even himself create the chaos. Trouble-maker, trouble-shooter, perhaps both. A view of the history of law may help in the understanding of the legal profession.

#### LAW: THE UNIMMACULATE CONCEPTION

The questions: Who makes the law, who changes it, who enforces it, whose interests does it serve, why and how does it change, can only be answered from the standpoint of class power.<sup>13</sup>

The law<sup>14</sup> and the state<sup>15</sup> are mere expediciencies. They were created to regulate and curb activities antagonistic to the interests of

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<sup>12</sup>BONIFACIO and MAGALLONA, *supra*, note 6 at 175.

<sup>13</sup>K. CLOKE, *Law is Illegal*, in *RADICAL LAWYERS: THEIR ROLE IN THE MOVEMENT AND IN THE COURTS* 28 (1971).

<sup>14</sup>Denisov defines law as "a system of mandatory norms and rules of behavior, established or recognized (sanctioned) by the state, protected from infringement with the help of a state apparatus of coercion." A. DENISOV et. al., *THEORY OF STATE AND LAW* 145 (1987).

The following factors testify to the emergence of law: (1) a substantial distinction between "mine" and "yours" by the members of class society; (2) the presence of law of private property; (3) the functioning of property, matrimonial and other legal relations; and (4) the assessment of some actions as violating the law or infringing the rights and duties (almost all rights belong to individuals of

the ruling class. Throughout history, as societies developed, and although the nature and character of law varied depending on the mode of production then existing in a particular society, the law and the state assumed basically the same purpose, that of preserving the status quo.<sup>16</sup>

At the beginning of civilization, primitive societies, which were then based on communal property and labor, got by without a state or law. These pre-class societies were self-governing. Non-legal norms such as religion, customs and tradition chiefly governed their economic, social and cultural relations.

As the productive forces developed, private property soon became the dominant form, replacing the communal ownership of property which was the rule in pre-class societies. The privatization of property and of the instruments of production was the seed from which classes and class contradictions sprouted. Soon, society was divided between the few who, on the one hand, owned and controlled the means of production and wanted to perpetuate their dominance over the rest of society, and, on the other, the great majority who only had their labor to sell and wanted to change the exploitative relation. The battle lines were thenceforth drawn.

It was at this stage of historical development of societies, based mainly on the dominant mode of production then existing, that the state and law were created by the ruling class in order that the class antagonisms might be regulated by a body standing, as it were, over and above the contending classes.<sup>17</sup> The state, therefore, became the

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the ruling class and almost all duties are laid on the shoulders of the exploited class). *Id.*, at 37.

<sup>15</sup>We are adopting here the Leninist definition of "state": A state is a political organization of the economically dominant class, having as its aim the defence of the existing economic order, but also the annihilation of the resistance put up against it by other classes. *See generally*, V. I. LENIN, STATE AND REVOLUTION 8-9 (1932).

<sup>16</sup>*See generally*, K. CLOKE, *supra*, note 13 at 27.

<sup>17</sup>F. ENGELS, THE ORIGIN OF THE FAMILY, PRIVATE PROPERTY, AND THE STATE (1933): "But in order that these antagonisms, classes with conflicting economic interests, may not consume themselves and society in sterile struggle, a power apparently standing above society becomes necessary, whose purpose is to moderate the conflict and keep it within the bounds of 'order'; and this power

political organization of the ruling class by which it could legitimately impose its will over the rest of society and ultimately preserve the status quo.

Parenthetically, it should be noted that state and law emerged virtually simultaneously, and that they mutually give politico-legal forms to each other. The state actually creates law, giving it form. Law in turn, gives form to the state, represents its existence legally, and is a lever for the exercise of political power. Law emerges and exists, not because there is a state nor because there are legislative bodies, but because the relations of production and economic requirements cannot develop in a class society without law.<sup>18</sup>

The purposes of law, therefore, are to protect, strengthen and develop social relations profitable and expedient for the ruling class, and to oust and curb relations contradicting the will of the ruling class. These purposes are expressed in law's functions, which differ according to the social orientation of society.<sup>19</sup>

For example, the chief function of law in slave-owning societies is the legal formulation of the slave-owners' ownership of the instruments and means of production, that is, the working people, the slaves. In feudal societies, the functions of law are mainly the securing of feudal ownership of the land and the coercion of the peasants to work for the feudal lords. In capitalist societies, the law strengthens and protects the relations of capitalist ownership and commodity production, within which framework the capitalists exploit the working class.<sup>20</sup>

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arising out of society, but placing itself above it, and increasingly separating itself from it, is the state."

<sup>18</sup>A. DENISOV *et. al.*, *supra*, note 14 at 163; *See also*, Trubek, *Where the Action Is: Critical Legal Studies and Empiricism*, 36 STAN. L. REV. 575, 608 (1984).

David Trubek provides us with a contrast between the CLS approach and traditional Marxist doctrine. Marxist theory is that the relations of production, to a large extent, determine the realm of ideas, including legal ideas. For scholars of the Critical Legal Studies tradition, however, ideas and socio-economic structures are mutually constituting. Law creates society and society creates law; and the relationships are complex and multidirectional.

<sup>19</sup>A. DENISOV *et. al.*, *supra*, note 14, at 151.

<sup>20</sup>Almost every aspect of law has to do with the relations involving ownership and other rights over private property. For example, the four books of

Seeming "anomalies" such as the labor law, the agrarian reform law, and the urban land reform law are not anomalous at all. The courts and the law will make concessions to maintain a facade of fairness to keep optimism alive.<sup>21</sup>

The ruling class reinforces its dominance by granting concessions to the restive working class to convince the latter that the legal system, flawed though it might be, is capable of improvement. These concessions cannot be merely symbolic. They have to be real or appear to be real. The ruling class has to make actual sacrifices and compromises in order to persuade the subordinate groups that this is the best deal they are likely to get, a deal, moreover, that will involve no fear of prosecution, injury, or failure on the part of the subordinate groups. This is intended to demonstrate that the elite class does rule in the universal interest.<sup>22</sup>

So while at first glance these laws do not seem to serve the interests of the ruling class and instead favor the basic sectors of society,<sup>23</sup> in reality, they work to the advantage of the ruling class by "weakening (the) unity (of the working class), fogging the consciousness of the workers and thus reducing the heat of their revolutionary struggle for rights and social progress."<sup>24</sup> Law can

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the Civil Code deal mainly with property relations and its incidents: Succession involves the transfer of property *mortis causa*; Obligations and Contracts is concerned with the formal and substantial requirements for valid transactions which generally involve property; the title of the Book on Property speaks for itself; even Persons and Family Relations contains several provisions on the property relations among members of a family.

Property relations are further governed by the Corporation Code, the Revised Securities Act and by other commercial laws. The Revised Penal Code contains a specific title on crimes against property. A great part of the Constitution itself is concerned with economic policies of the government.

<sup>21</sup>J. BLACK, *Introduction: A Slight Case of Contempt*, in *RADICAL LAWYERS: THEIR ROLE IN THE MOVEMENT AND IN THE COURTS* 11 (1971).

<sup>22</sup>See A. GRAMSCI, *SELECTIONS FROM THE PRISON NOTEBOOKS* 16' (Hoare & Smith eds. 1971); Gordon, *Critical Legal Histories*, 36 *STAN. L. REV.* 57, 94 (1984).

<sup>23</sup>These laws often turn out to be full of loopholes and qualifications that blunt the avowed social justice purpose of the laws. R.A. No. 6057, the Comprehensive Agrarian Reform Law, for example, which was enacted by a landlord-dominated Legislature, has not yet been successfully implemented.

<sup>24</sup>A. DENISOV et. al., *supra*, note 14, at 77.

function to coerce, sanctify, divert, divide, or deceive, thereby serving to legitimate an unjust social structure.<sup>25</sup>

These concessions are not always consciously or voluntarily granted by the ruling class to the working class. As a matter of fact, most of them are the fruits of the struggle put up by the working classes. These compromises and concessions were as much won by resistance and struggle as they were given or imposed by the ruling class.<sup>26</sup>

### LAW, JUSTICE, AND THE LEGAL PROFESSION

Society is pushed forward by dynamic forces and held back by restrictive forces. The law, being of an inherently conservative nature, belongs to the sphere of the restrictive forces in social life.<sup>27</sup>

It is through law that social relations are organized, the purpose being to "moderate conflict and keep it within the bounds of 'order'."<sup>28</sup> Law aims basically to preserve the status quo from which the ruling class benefits.

The legal profession is one of the instruments by which the purpose of law, the preservation of the status quo, is realized. The lawyer functions by settling conflicts and by maintaining the social order.<sup>29</sup> Necessarily, the pursuit of order and stability in social relations is accomplished through the application of law. This presumes that the lawyer accepts unconditionally the laws of the given social order whose very survival and existence are protected by the application of the law.

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<sup>25</sup>Kornhauser, *The Great Image of Authority*, 36 STAN. L. REV. 349, 384 (1984).

<sup>26</sup>J. SCOTT, WEAPONS OF THE WEAK: EVERYDAY FORMS OF PEASANT RESISTANCE 338 (1985). "Revolutions are not made by new laws. New laws are made by revolutions." K. CLOKE, *supra*, note 13, at 41.

<sup>27</sup>Bodenheimer, *The Inherent Conservatism of the Legal Profession*, 23 IND. L. J. 221, 227 (1948).

<sup>28</sup>F. ENGELS, THE ORIGIN OF THE FAMILY, PRIVATE PROPERTY, AND THE STATE (1933).

<sup>29</sup>The lawyer here functions as a "man of law". Villena, *Ethical Problems Facing the Peruvian Barrister* 59.



The legal profession's mission of setting society in order — a characteristic which gives the profession its quality of a public function<sup>30</sup> — cannot be achieved under social structures which are basically unjust. It is, therefore, also the function of the lawyer to seek the balance between law and justice, to "ceaselessly create and widen law until it can truly contain justice."<sup>31</sup> He has to work for the kind of justice that will ensure peace, a justice which is not fully developed in existing laws and which demands the transformation of modern social relations.<sup>32</sup>

The ruling class would have us believe that justice is only what the law provides, that justice may be obtained only within the bounds of law. However, the classical definition of justice: to give every man his due, has become inadequate given the conditions in underdeveloped and developing countries. A new concept of justice is called for, one based on solidarity rather than on competition, a concept that recognizes real rather than formal equality.<sup>33</sup>

In the Constitutional Convention for the 1935 Constitution, Delegate Tomas Confesor insisted on the inclusion of the concept of social justice in the constitution, saying that "it is necessary that we insert 'social justice' here and that social justice must be established by law. Proper legal provisions, proper legal facilities must be provided in order that there be a regime not of justice alone, because we have that now and we are seeing the oppression arising from such a regime. Consequently, we must emphasize the term 'social justice'."<sup>34</sup> The 1987 Constitution places emphasis on social justice, giving it an

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<sup>30</sup>The legal profession is not synonymous with an ordinary business proposition. It is impressed with a public interest. The lawyer here functions as a "man of law". Villena, *supra*, note 29. See *Cantiller v. Potenciano*, Adm. Case No. 3195, 18 December 1989, 180 SCRA 246, 253 (1989); See also, *Canlas v. CA*, GR No. L-77691, 8 August 1988, 164 SCRA 160, 174 (1988).

<sup>31</sup>The lawyer here functions as a "man of justice". Villena, *supra*, note 29 at 66; See also, *BONIFACIO and MAGALLONA*, *supra*, note 6, at 173.

<sup>32</sup>See, Villena, *supra*, note 29.

<sup>33</sup>ILSA, *Stories of Law and Social Change from Latin America and Around the World*, BEYOND LAW 8 (Feb. 1991).

<sup>34</sup>LAUREL, PROCEEDINGS OF THE PHILIPPINE CONSTITUTIONAL CONVENTION 293 - 294.

Article of its own.<sup>35</sup> Certain measures are enumerated for whose enactment the Congress is urged to give highest priority.<sup>36</sup>

The legal profession, built as it is upon foundations of injustice, was, in a manner of speaking, born with original sin. This is not to say that the legal profession should be blamed for its tainted origins. What the profession may be held liable for is that it helps to perpetuate the same unjust and iniquitous conditions that attended its birth. The original sin is a continuing sin.

Two chief features of the legal profession can be identified. First, the primary product of the legal system<sup>37</sup> and the ultimate goal of the legal profession is justice. The lawyer's duty is to the administration of justice.<sup>38</sup> The practice of law should be, for its followers, a "priesthood of justice".<sup>39</sup>

The second feature of the legal profession is the means it must use in serving the ends of justice. To this end, according to the Supreme Court of the Philippines, the lawyer's conduct ought to be scrupulously observant of law and ethics.<sup>40</sup> The lawyer, in other words, is obligated to work for justice but is also bound by his oath to operate within the legal system.

The problem is that law, as was seen previously, was created for the benefit of the ruling class. Hence, law generally does not lend itself to the cause of justice. As for the professional ethics which are supposed to guide the lawyer's conduct, the same are also shaped by the material living conditions. This discrepancy between the ultimate

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<sup>35</sup>1987 PHIL. CONST. art. XIII.

<sup>36</sup>*Id.*, art. XIII, sec. 1, par. (1): The Congress shall give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power for the common good.

<sup>37</sup>R. KJDDER, *supra*, note 9, at 243.

<sup>38</sup>See e.g., *Maglasang v. People*, GR No. 90083, 4 October 1990, 190 SCRA 306 (1990); *Santos v. C.F.I.*, GR Nos. 57190-91, 18 May 1990, 185 SCRA 472 (1990); *In re: Sycip*, 92 SCRA 1 (1979); *Jayme v. Bualan*, 58 Phil. 422 (1933).

<sup>39</sup>AGPALO, *LEGAL ETHICS*, 7.

<sup>40</sup>*Maglasang v. People*, *supra*, note 38.

end of the profession and the means the lawyer is to use in attaining that end is a dilemma the lawyer will have to face.

Lawyers have been criticized for being backward-looking and behind the times, for operating rigidly within a tight system of outdated rules, and for clinging to legal traditions of ages long past. The profession is believed by many to be inherently conservative by nature.<sup>41</sup> This is not necessarily true. The assertion that the legal profession is inherently conservative merely provides the lawyer with a convenient bolthole when he wants to escape the burden of the obligations that go with his being a lawyer. It is a clichéd excuse which lawyers have found useful in justifying their betrayal of justice.

While the profession may appear to be conservative, it is not inherently conservative. There is nothing in the nature of the legal profession that requires it to remain conservative. The seeming conservatism of the legal profession is due essentially to the very nature and purpose of the law which is to serve the interests of the ruling class. For as long as the law continues to serve only the interests of the ruling class — with the resulting gap between what is legal and what is just — the legal profession will continue to be perceived as conservative.

This calls for a radical, even revolutionary, change in the legal consciousness of the members of the legal profession. The lawyer should recognize that under unjust and iniquitous social structures, he cannot realize the essence of his profession, which is to work for real justice or justice as broadly understood by the people. In this endeavor, he should not be daunted by the limitations of the law. These limitations should instead impel him to strive until law is able to truly and fully contain justice.

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<sup>41</sup>See, Bodenheimer, *The Inherent Conservatism of the Legal Profession*, 23 IND. L. J. 221, 235 (1948); See also, Friedmann, *supra* note 8; Villena, *supra*, note 29.

Even the so-called "radical" lawyers subscribe to this view. See e.g., H. DI SUVERO, *The Movement and the Legal System* in RADICAL LAWYERS: THEIR ROLE IN THE MOVEMENT AND IN THE COURTS 58 (1971); R. WASSERSTROM, *Lawyers and Revolution* in RADICAL LAWYERS: THEIR ROLE IN THE MOVEMENT AND IN THE COURTS 80 (1971).

Though it may appear quixotic, the ideal situation is a society where no lawyers exist and where there is no need for them.<sup>42</sup> Duncan Kennedy writes of the "shared vision of a social harmony so complete as to obviate the need for any rules at all ... The state, and with it the judge, are destined to disappear as people come to feel their brotherhood ..." <sup>43</sup> Only by working for the obsolescence of his profession can the lawyer be considered as fulfilling the essence of his profession.

### THE LAWYER IN THE THIRD WORLD

In ASEAN countries, lawyers are unevenly distributed and are generally isolated from the impoverished sectors of society. This unfortunate situation also exists in the Philippines.<sup>44</sup> There are more than 30,000 lawyers in the Philippines but this number is irrelevant if competent legal service remains out of reach for the poor who make up the majority in this country.<sup>45</sup>

Moreover, in the Philippines, as indeed in most countries, the kind of legal assistance most often available is of the traditional variety. Traditional Legal Aid assumes that the law is just and that injustice results from violation of the law.<sup>46</sup> Traditional Legal Aid is hide-bound by the law within whose constricting limits a lawyer's work is confined. Traditional Legal Aid provides temporary relief to victims of injustice but does not touch upon the structures that generate and maintain injustice.<sup>47</sup>

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<sup>42</sup>But see, R. WASSERSTROM, *Lawyers and Revolution*, in RADICAL LAWYERS: THEIR ROLE IN THE MOVEMENT AND IN THE COURTS 83 (1971). Richard Wasserstrom would disagree with the proposal that in a good society there would be neither lawyer nor legal system. He advocates an intermediate kind of radicalism about the law, the kind that considers altering the institution itself rather than either rejecting or embracing it.

<sup>43</sup>Kennedy, *Form and Substance in Private Law Adjudication*, 89 HARV. L. REV. 1685, 1746 and 1771 (1976).

<sup>44</sup>Teehankee, *Law in Development*, 1:4 ALTERNATIVE LAW FORUM 25 (1987).

<sup>45</sup>*Id.*

<sup>46</sup>Bhagwati, *Judicial Activism and Social Action Litigation*, 1:4 ALTERNATIVE LAW FORUM 30 (1987).

<sup>47</sup>See Soliman, *The Practice, Problems and Prospects of Alternative Lawyering in the Philippines*, 6:2 ALTERNATIVE LAW FORUM 1 (1990).

In a developing or undeveloped country<sup>48</sup> where such structures abound, it is essential to reassess the function of law and the role of the lawyer. If the lawyer continues to be identified as the champion of the established order against the pressing interests of society in general, if the perception persists that competent legal service is available only to the affluent minority, then the sidelined majority may understandably lose faith in the law, in the lawyer, and in the legal profession.<sup>49</sup>

What is needed is a legal service program designed for the purpose of social and economic transformation, particularly of the distribution of power in society. The terms that have been used for such a legal service program are many and varied — alternative law, developmental legal aid, human rights lawyering, public interest law, new legal services, participatory legal services, movement law.

Whatever the name, these alternative legal service programs think of legal services as a vehicle to introduce far-reaching social changes which result in a new concept of justice and democracy.<sup>50</sup> All share the view that the key to development is self-reliance and participation, that grassroots popular organizations are potentially potent vehicles for change and that the marginalized and oppressed sectors of society should be mobilized and empowered and be made aware that they can and should have a powerful voice in the running of their own affairs.<sup>51</sup> These desired changes depend on the people's acquiring knowledge and power. Knowledge and power can be acquired through mass legal education, political action, and grassroots organization of the people.

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<sup>48</sup> Friedmann, *supra*, note 8, at 183. He states:

"The characteristic feature of an undeveloped country is the stark gap between its economic and social state and the minimum aspirations of a mid-twentieth century state modeled upon the values and objectives of the developed countries of the West."

<sup>49</sup> See, Teehankee, *supra*, note 44, at 27; See also, Friedmann, *supra* note 8, at 186.

<sup>50</sup> See, ILSA, *supra*, note 37 at 8.

<sup>51</sup> See Dias, *Alternative Law for People's Empowerment*, 1:4 ALTERNATIVE LAW FORUM 38 (1987); See also, ILSA, *supra*, note 37 at 8; Bhagwati, *supra*, note 46 at 35.

The role of the legal profession in this endeavor is to make clear the limitations of the law as well as to try to expand the boundary of the law so as to include the interests of justice.<sup>52</sup> Still, it must be understood that however useful the lawyer may be, he is not essential.

Finally, as Jose Diokno urged:

I pray that we men and women of the law, may join the quest and work at their side: for they labor for us also. But let us have no illusion that they need us. With or without us, they will triumph.<sup>53</sup>

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<sup>52</sup>BONIFACIO and MAGALLONA, *supra*, note 6 at 173.

<sup>53</sup>J. DIOKNO, *The Law and Martial Law*, A NATION FOR OUR CHILDREN 76 (1987).