

FOREWORD*

*Justice Marvic M.V.F. Leonen***

I insist that law schools are primarily academies. Academies acknowledge the content of, but go beyond, present law. Academies are institutions for deliberations on why the law is the way it is, why it matters, and whether the ways it is represented in legal practice or jurisprudence are still relevant.

Knowing the law requires familiarity with normative statements. It requires proficiency in existing legal text and its relationships with other texts within a canonical constitutional hierarchy. Engagement with the decisions of the Supreme Court is a necessity. Jurisprudence must be perused, not only to distill *ratio decidendi* that becomes doctrine, but likewise to understand the embedded values and the variety of interpretative methodologies deployed in the different iterations of the Court.

But these should not be enough.

True legal academies interrogate the present content of the law. Meaningful interrogation requires that law schools shed more of their disciplinary autonomy. Increasingly, the delivery of social justice requires not only proficiency in the semantics of text, but also the philosophy, ideology, politics, and culture congealed in law. Laws are built through the resolution of social contradictions in political or judicial forums existing within different historical periods. Each era hosts limitations in culture and consciousness as well as politics and technologies.

Necessarily, in our jurisdiction, we deal with societies with multivocal standpoints common in multilingual and multiethnic settings. Dominant—even hegemonic—ideas and postures crafted from a postcolonial milieu continue to cast their shadows. They may manifest in presumptions as well as in the content and method of law. Often, they hide in implicit premises and standpoints.

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Gone should be the days when we assume that a law will work simply because it is law. Rather, academies should nurture an eternal skepticism that inspires active citizenship. Laws engage reality in many ways. It would be a great disservice to society should law schools fail to emphasize this message by keeping the legal profession hermeneutically sealed under sophisticated orderly analyses that may seem traditional, but may have nothing to do with reality.

Reality is stubborn. It is delightfully defiant towards even the best human construction of what it is. It is full of contradictions. Thus, it constantly challenges every political leadership's view of how it is and how it should work. Law has come to embody the dominant view, and every dominant view deserves its critique of what unfolds contemporarily.

Thus, an important task of a law school is to equip the profession with the command of unpacking what may seem obvious in the law and the practice of law. It must continually examine our filters of understanding. In doing so, it assists our various communities and societies in moving forward to a better appreciation of the present, which is preparatory to a better, more just, and more egalitarian future.

It is in this light that I welcome this issue of the Philippine Law Journal. The digital world encodes the reality that law deals with. Indeed, its ubiquity in our smartphones and our computers has changed the depth and quality of human interaction. The infinite breadth of information challenges our ability to critically examine the depth of social issues. It has expanded the reach of our individual ideas, tempting the boundaries of our existing legal philosophies of privacy and government. The digital world, thus, has created possibilities as well as dangers.

I look forward to the many conversations that will be catalyzed by the articles hosted in this issue of the Philippine Law Journal. I am sure that they will find their way into the consciousness of many. In turn, these will be preparatory to a better way to view how law covers this important aspect of our lives. After all, relevant ideas—refined in the crucible of deliberation and nurtured by leaders—are necessary in shaping the foundations of more just and more humane societies.