

ADDRESS OF
Hon. Jose Escaler,
Member of the Board of Regents, Accepting the
Memorial of the 1915 Law Clas, on Behalf
of the University of the Philippines

By the manner of his choice, a man reveals not only his sentiments, but also his ideals and his whole personality. To perpetuate the memory of your graduation, you have chosen neither the portrait of a man whose deeds, however great, must needs have a more or less limited sphere of influence; nor the representation of either a past or present event, which may be the subject of controversy; but your wisdom has carried you far above such objects. It has caused you to ignore things pregnant with imperfections, and led you to choose something which symbolizes the past, the present, and the future, thus bearing upon it the seal of eternity.

You have chosen a picture representing "Law," an idea which belongs to no man or nation in particular, but is shared by all peoples and nations alike, regardless of their civilization and culture. You have chosen something which has neither bounds in space nor limitation in time.

Upon this day of your graduation, nothing could have been more fitting to the occasion than this memorial, where the ideals which you have drunk from the fountains of your Alma Mater, and which you are expected to follow up in your future life as the guiding star to the goal of your ambition, find their highest expression. During your college days you have always been impressed with the idea that industry, peace and truth are the corner-stones upon which a man's future should and can only be built. You have been taught to despise the vices illustrated in this picture.

The University of the Philippines, is proud of your high ideals. Being as yet a young institution, it can lay no claim upon past achievements or glorious history, as some of the old universities are able to do. Its assets consist mainly, for the present, of the quality of the men she sends forth from its portals. She is rich, not in past achievements, but in future hopes.

The ever increasing number of lawyers overcrowding our large cities makes the struggle for supremacy and the making of a name in the legal profession harder and harder as the days pass by. The frequent appearance of lawyers in courts having been considered as a good advertisement for the beginner, has induced some to employ agents to look

after cases and promote litigations. The desire to win a case by whatever means in order to earn the applause of the public has led others to a wrong direction, sacrificing more important considerations, and corrupting the sacred mission of the profession they have embraced. The ambition to achieve, beyond moderations, has also induced others to follow the doctrine of Lord Brougham, that an advocate knows, in the discharge of his office, but one person in the world, that is, his client, and no other. To save him at all hazards and costs to others is the highest and most unquestioned of his duties. While this is not generally the case, I deem it proper to warn you of such evils, which you are likely to meet in the practise of your profession.

You should always bear in mind that your mission is not to appear in courts as often as possible or to bring parties to litigation, but rather to avoid it by advising your clients to respect the rights of their fellow men. However important your case may be, and no matter how great may be the risk of your losing it, through the fraudulent elaboration of evidence on the part of your opponent, you should not seek to neutralize his efforts by following the same vicious practice. It is true that you may invite public applause, and earn a good name for winning a case, but if this is done through improper means, your fame will last but a short period—it will only last while the truth remains undiscovered.

In saying this I am not expounding a new doctrine or indulging in mere speculative thinking; I simply state the old truth which will serve to remind you of the mission to which our profession has been consecrated from time immemorial down to the present day. If you look back to the history of past ages you will find that in Egypt, Greece and Rome the legal profession was always held in high esteem, and that its members were considered, in the early stages of civilization, as ministers of the Supreme Being, called upon to bring happiness to living souls by administering justice. After religion and law became separated, in order to form independent institutions, in more advanced communities, our profession retained its former place in the opinion of men. It was still considered as an instrument of good and happiness, and with the advancement of civilization and progress it has attained far greater importance.

The mission of the legal profession was considered of such great importance to the public that lawyers were supported by the State. They charge no fees; their mission was considered not to be for profit or personal interest, but for altruistic ideals and for the public good alone. By his oath a Roman advocate promised that he would under no circumstances defend the cause which he knew to be unjust. Plato said that one who should take up a case knowing it to be unjust was to be for-

bidden to practice, and if he did it through a desire to earn money, he should be punished with death. In the early days of the administration of justice, not even witnesses were allowed to testify in a case, as it was thought that they might become an instrument in promoting litigation. The judges were intrusted with the mission of finding the facts for themselves either through divine inspiration or through personal investigation, in which parties took no part.

The materialistic tendencies of our age have led some people to believe that lawyers as well as merchants should seek mainly the accumulation of wealth, through means which are morally though not legally condemned; forgetting that even in commercial practice the ethical element and good faith are not wanting. No one can dispute the fact that in England, which is a great commercial country, the legal profession has set up such a high standard as deserves the admiration and respect of the whole world. It has accomplished this not so much on account of its treasures of knowledge and ability, which are shared by the legal professions of other countries, but because of the purity with which English lawyers practice their profession. Any one who attends a court session in England and witnesses the behavior of counsel, the judges, the parties, and the witnesses to a case, cannot fail to observe the dignity with which the administration of justice is carried on in that country.

Gentlemen of the graduating class:

Allow me to congratulate you upon the wise selection you have made in presenting this memorial to the University. Your gift stands not only to commemorate your graduation, but to proclaim the ideals which you intend to follow in your career. With the education you have received and the ideals with which you are imbued, the field of opportunity lies wide open before you, holding out its precious rewards for worthy deeds. In whatever activity you may be engaged in, your memorial should serve to remind you of the virtues you are expected to practice and the vices you are to avoid. It will also serve as a reminder of the highest regard and esteem enjoyed by the legal profession in past ages and which you should endeavor to preserve.

The circumstances under which we are now living call for energetic and constant efforts. We are confronted with the great problem of building up a nation, and are adopting institutions which have never been in existence here, at least in their fullest development, in the years past. You will not fulfill the sacred duties imposed upon you and the mission entrusted to your generation, if in the days to come you

would circumscribe your actions to the practice of your chosen profession.

You are called upon not only to lead our people along the path of righteousness and justice, but also to aid them in their onward march toward progress and national achievement. This calls for industry and perseverance. You will surely encounter disappointments on the way, but you should learn to face them bravely and to follow, with unfaltering steps, the plan you have laid for the attainment of your ideals. Personal antagonism and systematic opposition should be laid aside, and should never be allowed to stand in the way of progress and achievement. You should avail of whatever you find in others, whether they be your enemies or friends. Isolation is disastrous and a great hindrance to a constructive work, and peace is necessary to an harmonious and efficient cooperation for the work you are called upon to perform. Principles and not personal feeling should rule your actions. Truth should ever be allowed to shine with all its splendor in order that your work may be more efficient and everlasting.

On behalf of the University of the Philippines, your Alma Mater, I have the honor to accept with great pleasure and gratitude this memorial, which is appreciated, more than for its extrinsic value, for the ideals it represents. It stands as an eloquent testimony of the acceptance on your part of the ideals which your Alma Mater has endeavored to imprint on your minds and of your pledge to follow them in your future life. Let us hope that in a near future your Alma Mater may look upon you with pride and witness your victory in your struggle for existence, bearing with you the standard which you now propose to carry.