

SUGGESTED REFORMS *

AMBBROSIO PADILLA †

I welcome the invitation extended to me by your Professor Bienvenido Ambion to be your Convocation Speaker this morning, for I always hold an abiding interest in the College of Law, University of the Philippines, where I learned the fundamentals of law from 1930 to 1934, and thereafter became a professorial lecturer since 1938 and after Liberation to 1952, when I had to resign because the administration of this college decided to reduce my teaching load from 6 to 5 units, thereby altering my customary assignment in handling two sections of Criminal Law Review during the first semester of every year. Despite my severance from this college and my appointment as Solicitor General in 1954, I have followed with interest the activities and achievements of this college, sometimes wondering with some degree of disappointment why our graduates have not placed in as many positions of honor among the first ten in the annual bar examinations.

I have chosen as the topic of my discourse this morning "Suggested Reforms", which are changes I would advocate in our judicial and legal systems, based on observations during my three years incumbency as Solicitor General.

Less direct appeals to the Supreme Court —

The first observation that comes prominently to my mind is that there are too many direct appeals to the Honorable Supreme Court. The Judiciary Act of 1948 (Rep. Act No. 296) provides for *original* and concurrent jurisdiction of the Supreme Court with Courts of First Instance in four actions specified in Sec. 17 thereof, and for its *exclusive appellate* jurisdiction in all cases involving (1) the constitutionality or validity of any treaty, law, ordinance or executive order, (2) the legality of any tax, impost, or assessment, (3) the jurisdiction of any inferior court, (4) in all criminal cases involving offenses for which the penalty imposed is death and life imprisonment, (5) in all civil cases in which the value in controversy exceeds ₱50,000 exclusive of interests and costs, and (6) all other cases in which only errors or questions of law are involved (Sec. 17, Rep. Act No. 296). The Rules of Court provide for appeals to the Supreme Court from Courts of First Instance (Rule 42); from the Public Service Commission, the Securities and Exchange Commission (Rule 43; Rule 58, sec. 3), or the Commissioner of Land Registration (Sec. 4, Rep. Act 1151, minutes of Nov. 15, 1954, Roman Catholic Adm. of Davao, Inc. vs. Land Registration Commission, G. R. No. L-8451); appeals from an award, order or decision of the Court of Industrial Relations (Rule 44; also Rule 58, sec. 4) and from the orders of the Civil Aeronautics Board (minute, Jan. 28, 1954); appeals from deci-

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† A.B. (Ateneo), LL.B. (U.P.), D.C.L. (U.S.T.); Solicitor General of the Republic of the Philippines.

sions of the Auditor General (Rule 45; Rule 58, sec. 5), and petitions for review of decisions of the Court of Tax Appeals (minutes, Jan. 25, 1955); appeals from the Court of Appeals (Rule 46; Rule 58, sec. 5) for review on writ of certiorari which is not a matter of right but of sound judicial discretion, and will be granted only when there are special and important reasons therefor (Rule 46, sec. 4). Furthermore, the Supreme Court exercises *special appellate* jurisdiction to review decisions or orders of the Commission on Elections (Com. Act No. 657, sec. 9), of the Director of Patents (Rep. Act No. 165, Secs. 61-73); of the Court of Agrarian Relations (Rep. Act No. 1267, sec. 13); of the Workmen's Compensation Commission (Act 3428 as amended, Secs. 48 and 50); and of the Wage Administration Service (Rep. Act No. 602, sec. 7). In addition to the original jurisdiction, the exclusive appellate jurisdiction (Rep. Act No. 296, Sec. 17), and the special appellate jurisdiction of the Supreme Court, there are many special civil actions filed in the forms of petitions for certiorari, prohibition and mandamus (Rule 67).

The records of the Supreme Court show that during the past year 1956, there were 1,658 cases docketed, and the Court disposed of 1,452 cases — 626 by decision on their merits — 34 of which had concurring and/or dissenting opinions, and 826 by minute resolutions. Of the 626 decisions on the merits, 403 were civil, 120 criminal, 96 special *réremédies*, 5 administrative, and 2 reconstituted civil cases. The minute resolutions disposed of 378 civil, 123 criminal, 302 special *remedies* and 23 administrative. 826 cases were disposed of by minute resolutions, 200 more than the 626 decisions. A practising lawyer who carefully prepares a petition for certiorari can not be satisfied by a minute resolution dismissing his petition for "lack of merit". But this perhaps cannot be helped, for the fact is that the highest tribunal of the land is flooded with cases, many of which do not deserve the personal attention of its learned members. Moreover, three justices are members of the Senate Electoral Commission and three other justices are members of the House Electoral Commission, the hearings of which consume much of their valuable time.

We can readily agree that cases involving the constitutionality of a statute, legality of a tax, jurisdiction of a court, criminal cases involving death or life imprisonment and civil cases of big pecuniary value, should merit the attention of the Supreme Court. The minimum of ₱50,000, however, should be increased to at least ₱200,000, so that civil cases involving less than that amount should be cognizable on appeal by the Court of Appeals. We should also agree that decisions from the Court of Appeals, the Court of Tax Appeals, the Auditor General, and the Commission on Elections, should be cognizable by the special appellate jurisdiction of the Supreme Court. But is there any cogent or compelling reason to provide that other cases, such as appeals from the Public Service Commission, the Securities and Exchange Commission, the Commissioner of Land Registration, the Civil Aeronautics Board, the Director of Patents, the Court of Industrial Relations, the Court of Agrarian Relations, and especially awards of the Workmen's Compensation Commission and the Wage Administration Service be taken directly to the Supreme Court? The orders or rulings of those minor or subordinate commission and/or officers should be made appealable only to the Court of Ap-

peals. What possible justification, for example, can there be for a direct appeal to the Supreme Court from an award made by the Workmen's Compensation Commission or Wage Administration Service, which are not even composed of experienced lawyers, when the claim may not even exceed ₱1,000? There are certainly no delicate questions of law involved in such claims for wages as to merit the direct consideration by the members of the Supreme Court, who have to sit as an entire Court of eleven justices, unlike the Court of Appeals, which sits in six divisions of three justices each. I therefore propose that direct appeals to the Supreme Court from subordinate tribunals, commissions and officials be reduced, and that the appeals provided by law be directed instead to the Court of Appeals on *both* questions of fact and law. The members of the highest tribunal of the land should be allowed to concentrate their talents, energies and legal erudition in deciding important cases of far-reaching consequences, which must be founded on sound legal principles and expressed in legal literature worthy indeed to constitute legal gems as permanent contributions to Philippine jurisprudence for judges, lawyers and students of law to study and absorb, to respect and emulate. But if the attention of our revered justices has to be deviated to cases involving minor questions, the time may come when, forced by the demands of prompt disposition of cases and speedy administration of justice, their decisions may fall short of the standards of excellence in either thought or language, due to physical impossibility to improve the decisions promulgated, not only in solving the private rights or claims of particular litigants but in deserving to be guiding landmarks in Philippine jurisprudence.

*The appeals should involve
both facts and law —*

With particular reference to the Court of Industrial Relations, the party aggrieved by a decision, order or award of the Court of Industrial Relations may appeal to the Supreme Court for review on questions of *law* (Sec. 15, Com. Act 103; Sec. 6, Rep. Act No. 875). The appeal is limited to questions of law because the findings of said court with respect to questions of *fact* are deemed conclusive. The same policy is followed in the Court of Agrarian Relations where the aggrieved party may appeal by certiorari to the Supreme Court only on questions of law (Sec. 13, Rep. Act 1267). Even the findings of fact made by the Secretary of Labor or the Wage Administration Service regarding the Minimum Wage Law are conclusive if supported by substantial evidence, and the review shall be limited to questions of law (Sec. 7, Rep. Act No. 602, *Brillantes vs. Castro*, G. R. No. L-9223, June 30, 1956). The same rule is followed with respect to decisions of the Workmen's Compensation Commission (Act No. 3428 as amended). We may accept as final the findings of the Court of Appeals on questions of fact, as sometimes the case originating from the justice of the peace or municipal court has been twice appealed, once to the Court of First Instance and then to the Court of Appeals. The review of the decisions of the Commission on Elections is limited to questions of law only, for after all, it is a Constitutional body (Art. X, Constitution) charged with the enforcement and administration of all laws relating to the conduct of elections (Sec. 2). But an appeal from the Court of Tax Appeals or

from the Auditor General is not confined to questions of law only. Why should the appeals or petitions for review from decisions of the Court of Industrial Relations or the Court of Agrarian Relations and the awards of the Wage Administration Service and the Workmen's Compensation Commission be limited to questions of law only? Instead of limiting the appeals from decisions or final orders of the Courts of Industrial and Agrarian Relations on questions of law only and directly to the Supreme Court, it is suggested that the appeals from said special courts be made to the Court of Appeals instead, and said appeals to include a review of *both* questions of fact and law. The application of the law involved in the subject matter in litigation is intimately related with and based on questions of fact. It is very difficult for the litigants, whether management or labor, landlord or tenant, to admit in conscience the finality of facts as found by the Court of Industrial or Agrarian Relations, especially when the hearings are not conducted personally by the judges, but are invariably referred to the Commissioners, who may not properly appraise the facts, and yet their findings and conclusions when adopted by the courts become conclusive, as if their judgment on questions of fact is infallible. If decisions rendered by judges of the courts of first instance are reviewable on both questions of fact and law, there seems to be no reason why findings of fact embodied in the decisions of the Courts of Industrial or Agrarian Relations should become final and conclusive, when oftentimes the findings are made by a deputized Commissioner. I am reminded at this juncture of a case where a security guard of the PRISCO was caught sleeping at his post (PRISCO Workers' Union, et al. vs. Price Stabilization Corporation, CIR Case No. 840-V(2)). The management separated him from the service. The guard sought his reinstatement with back wages. The decision of the Court of Industrial Relations, based on a report of the hearing Commissioner, was a finding that although the security guard fell asleep, it was due to his "continuous assignment to night duty", which was "very strenuous and exacting to his physical resistance" and that he fell asleep because he "could no longer endure the strains and hardship brought about by his continuous night patrol". On appeal to the Supreme Court, the petition for certiorari was dismissed by a minute resolution, on the ground that the case did not involve any question of law but a finding of fact, which was conclusive. I am afraid that provisions of law rendering the finding of any court or judge or commissioner as final and conclusive are not only an affront to human experience and revolting to legal processes, but may serve as fertile grounds for abuses leading to graft and corruption.

*The State should be allowed to
appeal in criminal cases —*

In this connection, I wish to reiterate my crusade for a reappraisal of the rule on double jeopardy. Since the decision is *U.S. vs. Kepner* (195 U.S. 100; 11 Phil. 669) rendered by a 5 to 4 divided American Supreme Court, we have invariably and blindly followed the rule that an appeal by the State from a judgment of dismissal or acquittal in a criminal case constitutes double jeopardy. The more logical and rational view is that expressed by Justice Holmes in his dissenting opinion in the same *Kepner* case that an accused cannot

be said to be more than once in jeopardy in the same cause, and that jeopardy is one continuing jeopardy from its beginning to the end of the cause. Justice Brown made the observation that it is impossible to suppose that Congress intended to place in the hands of a single judge the great and dangerous power of finally acquitting the most notorious criminals. (See Commencement Address entitled "Lawyers and the Courts" delivered before the Manila Law College on March 25, 1956). The rule in both Spanish and American Criminal Procedures (General Orders No. 58) permitted either party to appeal from a final judgment affecting the substantial rights of either party (U.S. vs. Kepner, 1 Phil. 397; U.S. vs. Mendezona, 2 Phil. 253). The Office of the Solicitor General sought for a revision and reexamination of the rule on double jeopardy in *People vs. Pomeroy, et al.* (G. R. No. L-8229) when the Huk Supremo, Luis H. Taruc, was meted only a penalty of 12 years of *prision mayor* while other Huk defendants have been sentenced to either life imprisonment or death. But the Supreme Court declared itself powerless to revise the rule when it stated that "the propriety of the penalty is beyond our power to review — not merely of the settled jurisdictions" (Decision in G. R. No. L-8229, Nov. 28, 1955). If the Supreme Court has no such power of review, who then can exercise such power under our system of Constitutional democracy? Following this blind and idolatrous adherence to a doubtful rule enunciated by a 5 to 4 decision of the American Supreme Court, the State has been precluded from any attempt to correct erroneous decisions in criminal cases, even on purely questions of law, such as the correct designation of the offense or the proper duration of the penalty. This in effect would clothe the trial judge and perhaps the Court of Appeals with the false robe of infallibility, however erroneous the judgment of dismissal or capricious the acquittal on reasonable doubt. If a judgment of acquittal in a criminal case even on the ground of reasonable doubt is placed beyond the corrective remedy of review by appeal, there may be a tendency of judicial abuse based on this absolute power bordering on arbitrariness, and yet the State would be defenseless and the appellate courts powerless to review and/or correct erroneous and unjust decisions. As I have stated in my speech in 1953 before the National Convention of Lawyers in an address entitled "An Appraisal of the Code of Crimes", "such appellate review in meritorious cases would constitute the most effective restraint against erroneous or arbitrary actuations of inferior courts", and such "appeal would not strictly violate the constitutional provision against double jeopardy".

*The jurisdiction of the Court
of Industrial Relations —*

The Court of Industrial Relations created under Commonwealth Act 103 had broad jurisdiction, but Republic Act No. 875 limited that jurisdiction to certain specific cases, leaving the rest to the regular courts. Thus, in the case of *Philippine Association of Free Labor Unions (PAFLU) vs. Tan*, 52 O.G. 5836, the Supreme Court stated —

- "As the law now stands, that power is confined to the following cases:
(1) when the labor dispute affects an industry which is indispensable to

the national interest and is so certified by the President to the industrial court (Section 10, Republic Act 875); (2) when the controversy refers to minimum wage under the Minimum Wage Law (Republic Act 602); (3) when it involves hours of employment under the Eight-Hour Labor Law (Commonwealth Act 444); and (4) when it involves an unfair labor practice ([Section 5, (a), Republic Act 875]). In all other cases, even if they grow out of a labor dispute, the Court of Industrial Relations does not have jurisdiction, the intentment of the law being 'to prevent undue restriction of free enterprise for capital and labor and to encourage the truly democratic method of regulating the relations between the employer and employee by means of an agreement freely entered into the collective bargaining' (section 7, Republic Act 875). In other words, the policy of the law is to advance the settlement of disputes between the employers and the employees through collective bargaining, recognizing that real industrial peace cannot be achieved by compulsion of law' [See section 1 (c), in relation to section 20, (*Idem*)] (at p. 5841).

The limited jurisdiction of the Court of Industrial Relations to the four cases abovementioned was reiterated in the case of *Reyes vs. Tan* (52 O.G. 6187), wherein it was held that:

"* * * in all other cases involving labor disputes not falling within the jurisdiction of the Industrial Court who have the power to issue injunctions." (at p. 6189).

The Court of Industrial Relations under said decisions retains jurisdiction over controversies referring to the minimum wage under the Minimum Wage Law (Rep. Act 602) and involving hours of employment under the Eight-Hour Labor Law (Com. Act 444). The Minimum Wage Law, however, provides that "actions by employees affected to recover underpayment may be brought in any competent court" (sec. 16, Rep. Act No. 602). The jurisdiction of the regular courts of first instance to issue injunctions in labor disputes has been upheld by the Supreme Court. It is suggested that the jurisdiction of the Court of Industrial Relations be further clarified by legislation to limit its jurisdiction to the fixing of the hours of employment and other working conditions, enforcing collective bargaining agreements and deciding on strikes and lockouts and unfair labor practices, but the money value of claims for wages whether in the form of underpayment in violation of the Minimum Wage Law, the non-payment of overtime for additional work under the Eight-Hour Labor Law and pay differentials arising from night-work should fall within the jurisdiction of the regular courts of first instance. And naturally appeals should be provided on both questions of fact and law to the Court of Appeals, instead of limiting appeals to pure questions of law and directly to the Supreme Court.

Prescriptive periods —

One of the new laws recently passed by Congress and approved by the President is Republic Act No. 1993, which amends the Eight-Hour Labor Law by inserting Section 7A which provides for a "prescriptive period for causes of action arising thereunder" and specifically that "any action to enforce any cause of action under this Act shall be commenced within three years after the cause of action accrued, otherwise such action shall be forever barred". This is similar to Section 17, Rep. Act No. 602, which also provides that any action "to enforce any cause of action under the Minimum Wage Law

may be commenced within three years after the cause of action accrued", otherwise it shall be forever barred. In *quo warranto*, the rule is that "an action against an officer for his ouster from office must be commenced within one year after the cause of action of such ouster", and similarly, an action for damages "shall be commenced within one year after the entry of the "judgment establishing plaintiff's right to hold the office in question" (Rule 68, sec. 16). There is no specific law providing for a statute of limitations for a petition for reinstatement to an office, much less for payment of salaries during the period of suspension. However, the Supreme Court in the case of *Unabia vs. City Mayor*, G.R. No. L-8759, prom. May 25, 1956, followed by analogy the one year period in *quo warranto* and held that such action for reinstatement in the civil service must also be brought within one year.

"In actions of *quo warranto* involving right to an office, the action must be instituted within the period of one year. This has been the law in the Islands since 1901, the period having been originally fixed in Sec. 216 of the Code of Civil Procedure (Act No. 190). We find this provision to be an expression of policy on the part of the State that persons claiming a right to an office of which they are illegally dispossessed should immediately take steps to recover said office and that if they do not do so within a period of one year, they shall be considered as having lost their right thereto by abandonment. There are weighty reasons of public policy and convenience that demand the adoption of a similar period for persons claiming right to positions in the civil service. There must be stability in the service so that public business may not be unduly retarded; delays in the settlement of the right to positions in the service must be discouraged."

There is no law limiting the prescriptive period for filing claims for underpayment under the Minimum Wage Law nor for differentials for nightwork, but it is submitted that the same principle adopted in Rep. Act No. 1993 regarding overtime and section 17 of Rep. Act No. 602 regarding minimum wage should be applied by subjecting such claims to the "prescriptive period of three years". Such prescriptive periods would lend stability to business ventures, especially after the firm has submitted annual reports to its stockholders, showing net income in its operations, and the corresponding income tax has been paid thereon. It would be unfair to management and perhaps disastrous to business expansion, if the stale claims for alleged underpayment of the minimum wage, non-payment of overtime for additional work and differentials for nightwork and other similar claims for additional wages were allowed to accumulate and then be entertained by the Court of Industrial Relations, as they presently are, such claims covering many long years of operation below the basic prescriptive period of 10 years.

Equal pay for equal work

One of the fundamental rights recognized in the Universal Declaration of Human Rights is that "everyone without any discrimination has the right to equal pay for equal work" (Article III, par. 2). This principle of equality of pay based on equality of work, however, is unfortunately not followed in this country — not only by foreigners who control or dominate some domestic firms but even by our own governmental institutions. Thus, the lawyers in the legal staffs of many government corporations receive higher salaries than the

more experienced lawyers in the Office of the Government Corporate Counsel. The lawyers in the legal staffs of government financial institutions like the Central Bank, Philippine National Bank, and the RFC also receive higher salaries than the Solicitors in the Office of the Solicitor General. As a matter of fact, the fiscals in the City Fiscal's Office have been the beneficiaries of three successive legislations increasing not only their salaries but also their number (Republic Acts Nos. 1201, 1571, 1860). The First Assistant City Fiscal receives ₱11,600 whereas the First Assistant Solicitor General only receives ₱10,000. The three Second Assistant City Fiscals receive ₱11,000 each, the next six receive ₱10,000 each, the next six receive ₱9,000 each, the next six receive ₱8,400 each, and the next six receive ₱8,100 each — or a total of 27 fiscals who earn more than the four Assistant Solicitors General, who only receive ₱7,800 each. There are 28 other Assistant Fiscals, the last ten receiving a minimum salary of ₱6,000 per annum, whereas there are only 24 Solicitors with a minimum salary of ₱4,800, not to mention six law clerks and legal researchers who receive salaries varying from ₱2,400 to ₱3,960 per annum. And yet, House Bill No. 5352 which sought to add six additional Solicitors and to improve the salaries of the Solicitors, which do not even approximate the new high salaries of the City Fiscal's Office, was unfortunately vetoed by the President on the representations, I understand, of the Budget Commissioner, that it would disrupt the WAPCO plan — "The Report of Personnel by the Government Survey and Reorganization Commission". The WAPCO can not be used as an excuse for the presidential veto of the bill intended to do justice to the Office of the Solicitor General, because the WAPCO is but a creature of Congress and its plan or policies cannot be superior to or prevail against the later expressed will of its creator. Moreover, there can be no disruption of the general plan, for the Office of the Solicitor General is unique — the only office of its kind in the Governmental set-up. Furthermore, any plan seeking to standardize the salaries in the national government should not exclude the standardization of salaries of its political agencies, notwithstanding the claim of municipal corporations, like the City of Manila, for local autonomy, for otherwise, a part, like the City of Manila, would be greater than the whole — the National Government. It was indeed unfortunate that notwithstanding the passage of House Bill No. 5352 by both Houses of Congress, the President vetoed said bill and yet approved the bill increasing for the second time the salaries and legal staff of the City Fiscal's Office. The effect is a lowering of the morale of the Solicitors who had expected promotions and salary increases based on their meritorious services, and not on political patronage. It is a patent violation of the basic principle of equal pay for equal work. No one, I believe, would dare assail the fact that the Government Corporate Counsel discharges more important duties than the legal staffs of the individual government corporations, and that the Office of the Solicitor General as the law office of the national government discharges more extensive and more important duties than the City Fiscal's Office of the City of Manila. And yet, an anomalous situation has arisen whereby the law office of a city has become bigger and its lawyers more highly paid than the law office of the whole nation. The higher salaries of the Fiscals of the City of Manila and their greater num-

ber as compared with the Solicitors of the Office of the Solicitor General, create an absurd situation, which is certainly far from being conducive to efficiency in the public service, and is patently a flagrant violation of the universally recognized principle of equal pay for equal work.

*Full-time officials less
part-time assignments —*

The Solicitor General, without any extra compensation, is *ex-officio* the Government Corporate Counsel. This office handles all the major cases, renders opinions and attends to the legal needs of the different government owned and controlled corporations. The Solicitor General is a member of the Civil Service Board of Appeals, whose two other members are the Budget Commissioner and the Undersecretary of Justice. The Solicitor General is also a member of the Deportation Board, which is also composed of the Undersecretary of Justice and an officer of the Armed Forces of the Philippines. It is recommended that the Civil Service Board of Appeals which has to review all appeals from decisions of the Commissioner of Civil Service affecting hundreds of cases of officials and employees who have been ordered dismissed, resigned, fined, reprimanded, and other disciplinary penalties, should be made up of full-time members, or at least of one full-time Chairman, because actually, the members thereof do not have the time to give the personal attention that they should to the many cases for review. The result is the inevitable delay in the otherwise early disposition of the civil service cases to the detriment not only of the public service but also of officials and employees whose claims for reinstatement and sometimes for back salaries, cannot be decided until after the lapse of several years. It is believed that to give vitality to the civil service law, to give protection to the civil service eligibles, to rid the government service of undeserving employees, the investigations of erring officials and employees should be promptly initiated and terminated. This goal would naturally require speedy action on the part of the Commission of Civil Service and prompt decision on appeals filed with the Civil Service Board of Appeals. Unfortunately, under the present set-up, such speedy dispensation of administrative justice is not possible, inasmuch as the three members of the Civil Service Board of Appeals are fully charged with other essential and more pressing official duties.

A word of advice —

Before I conclude this address on Suggested Reforms, permit me to give you a word of advice. As students of the State University and of the UP College of Law in particular, which has been the main source of supply for the leaders of this country, not only in the judiciary but also in the executive and legislative departments of the government, you must cultivate industry and hard work. Your knowledge of the law, its basic foundation and its many principles cannot be left to native talent or common sense. They must be assiduously imbibed from daily reading and mental absorption, not only of the bare provisions of law, but of the comments of jurists, the decisions of our courts and authoritative textbooks and treatises. Before a

student should even attempt to criticize the existing provisions of law and rules of procedure, he should first fully understand the prevailing system of law which has been found satisfactory in most respects. I agree that students should not only memorize the provisions of law but should also understand the reason therefor or perhaps the philosophy and the history behind its enactment, tracing its gradual development from its basic source, but nonetheless the students must first learn the law before they can attempt any improvement thereon. We should not effect changes or modifications in the law curriculum and the traditional law training of this College, unless they are definitely for the better. We cannot justify a change for the sake of change or experiment. Personally, I believe that this college should adhere to the recitation system, instead of the substitute lecture system and theme papers. Theme papers and lectures are desirable and profitable, but they must be in addition to, and not in lieu of, the daily recitations.* I am confident that the graduates of this college will rise to the same and perhaps greater heights as those attained by its many prominent graduates who now hold enviable positions of leadership in the country. For it cannot be denied that the college of law of the University of the Philippines is not only charged with the duty of maintaining the highest standards of legal education in this country, but must also discharge its more important duty of continuing to be the constant source of the country's legal talents and national leaders.

* Up to the present the U.P. College of Law retains its traditional system of instruction which is the question and answer method accompanied by discussions and supplemented by lectures. Term papers are required in certain courses. The purely lecture method is never used except in Pre-Bar Review classes. The revision of the law curriculum has been impelled, not by a leaning towards the novel or the experimental, but by a long-felt need for better integration and more logical and a more effective arrangement of courses. By prescribing additional courses in Jurisprudence, Legal History, Legal Philosophy, and Comparative Law, a more solid intellectual foundation is provided for by the reforms. A change in the order of studies is made to obviate difficulties encountered by a Freshman's immediate introduction to purely technical law courses. Only two subjects are taken up everyday and the usual one-hour class period is lengthened to one and one-half hours, and a course meets everyday until terminated. This procedure is conducive to a better and more thorough understanding and retention of the subject matter. A survey conducted in 1955 among U.P. law students who had undertaken studies under the old and the new systems registered an overwhelming approval of the present set-up which has been endorsed favorably by 90% of the said students. It is interesting to note that beginning the fall 1958, a similar method will be adopted by Dartmouth College in order that "students will be able to dig deeper into each subject by concentrating on only three" during a term since the 16-week semesters will be converted to three 11-week terms. (69 Time Magazine 12, p. 54, March 25, 1957). For a detailed exposition of the revised curriculum, please refer to Dean Vicente G. Sinco's article "Objectives of the New Curriculum of the College of Law, U.P." appearing in the July, 1954 issue, Vol. 29, No. 3, pp. 307-311 of the Philippine Law Journal.—Editor's note.