

# THE LEGAL PHILOSOPHY OF JOSE P. LAUREL

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## I. INTRODUCTION

Insight into the life of an individual, as is true with the life of a people, may be had by delving into his philosophy of law.<sup>1</sup> This is particularly accurate in the case of one whose main endeavors in life were directed toward ordering an emergent, if not altogether confused, society. As a luminous star in the Philippine firmament of ideas, the late Dr. Jose P. Laurel is easily one of the nation's foremost legal philosophers.

At a time when Filipino nationalism is having a new and significant turn, a survey of Dr. Laurel's notions about law and justice as well as the various ramifications of the subject can add a fresh flavor to the nationalistic movement now going on in the country. The reason lies in that Dr. Laurel was a thinker as well as nationalist of the first degree. Moreover, he was one of the first few Filipinos who realized even during the early years of the American occupation the need to revise the country's legal system and thinking in order to pattern the same after the temperament, customs, and traditions, as well as the needs of the Filipino people.<sup>2</sup>

Recent years have seen some belated reforms in the country's legal system. But such changes, it is submitted, are not only inadequate, but also rather superficial. The basic needs for reform in Philippine law are still there. The clarion call sounded by Dr. Laurel and few other thinking Filipinos in the early 1920's still rings true and clear today.

## II. NATURE OF PHILIPPINE JURISPRUDENCE

Laurel was keenly aware that, by the accident of history, there took place in the Philippines a blending of two great systems of law, namely, the Civil Law and the Common Law.<sup>3</sup> As a result of this, there has been a tendency to amalgamate into one body the laws of the conquerors and the laws of the conquered.<sup>4</sup> Even in the procedural aspect of the law, he noted that the country is

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<sup>1</sup> "Nobody knows just what the term 'law' means anyway. That may seem an astounding statement, but the fact is that thousand of definitions of that term have been offered and not one has been found wholly satisfactory." WORMSER, *THE LAW* 4 (1949).

<sup>2</sup> LAUREL, *ASSERTIVE NATIONALISM* 69-70 (1931).

<sup>3</sup> *Id.* at 8..

<sup>4</sup> *Id.* at 80-81.

an heir to both systems, the continental and the common law.<sup>5</sup> Quoting a Filipino judge, he concluded that the country has as a consequence a blended or *mestizo* system of jurisprudence.<sup>6</sup>

What he deplored is that, while the Philippine system of jurisprudence may appear satisfactory to some persons, it is not a credit to the Filipino people. As he observed in 1931, a review of the historical development of the country's jurisprudence reveals that from the time of Spanish domination to the present, the Filipinos have always been governed by foreign laws.<sup>7</sup>

Believing that no legal system has ever remained stationary,<sup>8</sup> he posed the question thus: "Why can we not evolve a system of law which, if not wholly creative and typically Filipino, is at least adapted to the customs, traditions, and idiosyncrasies of our people?"<sup>9</sup> He advocated along this line of thinking that the Philippine laws and institutions, without being narrow, should be developed harmoniously and consistently with the people's idiosyncrasies, problems, history, customs, and traditions.<sup>10</sup>

### III. CONCEPT OF LAW

To Laurel's thinking, where there is order, there must be law.<sup>11</sup> He assumes that law is an instrument of bringing about order. It may therefore be said that law is not merely an attribute of order.<sup>12</sup>

<sup>5</sup> Laurel, *Looking Forward: The Golden Age of Procedure*, 8 L.J. 366 (1940).

<sup>6</sup> LAUREL, *ASSERTIVE NATIONALISM* 69 (1931).

In connection with the blending of the two legal systems in the Philippines, Laurel commented further thus: "Who knows but that the cross-breeding of the Castilian lion and the American eagle had resulted in the evil birth of a phenomenal creature!" *Id.*

<sup>7</sup> *Id.*

Laurel further expounds his view on this jurisprudential development as follows: "For example, we find that the Spanish Civil Code is still the governing law in this country, notwithstanding the fact that such a body of law was drafted by Spanish jurists having in view the conditions and needs of the Spanish people and without regard to the customs, traditions, and history of the Filipinos. While the Spanish Civil Code is a good system of law from the point of view of logical arrangement and symmetry, yet I know that many of its provisions are not only obsolete now, but are entirely inapplicable to local conditions in the Philippines. What is true of the Civil Law is also true of the Commercial, Penal, and other laws. When the United States took possession of the Islands, they naturally brought with them their system of jurisprudence and promulgated laws, with the intention of improving upon the legal system prevailing in the Islands at the time. They passed, among other laws, the Code of Civil Procedure based upon the Anglo-American system of jurisprudence."

<sup>8</sup> *Id.*

It may be observed that to a certain extent, Laurel's above observation is still valid today.

<sup>9</sup> See *supra* note 5.

<sup>10</sup> LAUREL, *ASSERTIVE NATIONALISM* 70 (1931).

<sup>11</sup> *Id.*

<sup>12</sup> Laurel, *The Foundation of Human Relationship*, 14 L.J. 57 (1949). Cf. LAUREL, *MORAL AND POLITICAL ORIENTATION* 30 (1949).

<sup>13</sup> However, there is a need for some qualifications as to the relationship

There are to his mind two possible processes of legal evolution. According to him, law may be considered as the product of spontaneous growth amidst peculiar environment or the result of conscious evolution of man's moral and intellectual forces.<sup>13</sup> To account for this, he reasoned that every generation has longed and labored for greater and more abundant life in its never-ending search for truth, yearning for that which is absolute but contenting itself in the end with truth that is approximate and relative. The effect of this is that, he added, deep beneath the surface of any legal system we find varying relative concepts of law as an expression of the changing mores of the times and as jural limitation upon power and as an instrument for the attainment of the regulated liberty and limited freedom of thought and action.<sup>14</sup> For a more profound explanation, he drew from an early biological teaching that many forms of life have developed from the protoplasmic to the more complex and higher and more efficient forms and that, sociologically, human society has emerged from a state of barbarism to better forms or organization and higher degree of compactness.<sup>15</sup>

As may be discerned from his above views, it may be safely said that Laurel did not consider law as a command of a sovereign in the Austinian fashion. To his thinking, law is not a closed system. But as a product of spontaneous growth or conscious evolution, law is all inclusive. In line with this idea, the judge should not turn to a body of isosteric legal doctrine, at least not invariably, to find a solution for a legal problem.<sup>16</sup> In effect, Laurel believed that law is an open system.

One other circumstance to be considered in appraising Laurel's concept of law is his fondness for moral law. His view is that if there is a moral world, there must be law, and that there is an all provident lawgiver who is the ultimate cause of moral order and the author of the moral law.<sup>17</sup> He equates moral order with righteousness which he considered the primal law and the guiding principle. As such, he construed righteousness as implying devotion to justice, truth, and goodness.<sup>18</sup>

If what he really meant by order is social order, and social order is equated with moral order, there can be no divorce, accord-

between law and order in the face of Laurel's own observation as follows: "From this point of view, moral order is divine, and righteousness, as an essential attribute, is its primal law and guiding principle." Laurel, *The Foundation of Human Relationship*, 14 L.J. 57 (1949).

<sup>13</sup> LAUREL, *PROCEDURAL REFORM IN THE PHILIPPINES* 3 (1940).

<sup>14</sup> *Id.* at ix.

<sup>15</sup> *Id.* at x.

<sup>16</sup> *Id.* at 39.

<sup>17</sup> LAUREL, *MORAL AND POLITICAL ORIENTATION* 28 (1949).

<sup>18</sup> *Id.*

ing to Laurel's thinking, between law and morality. At least, there should be some areas where the two overlap each other. Further support for this may be derived from his idea of a provident law-giver as being the ultimate author of law.<sup>19</sup>

#### IV. LAW AND JUSTICE

In a way reminiscent of Aristotle, Laurel defined justice as the rectitude of mind which enables one to estimate correctly what is due to every man, and give this to him conscientiously, regardless of any other consideration.<sup>20</sup> To Laurel, it is not enough that a man endeavor to do justice always; he must be willing to suffer rather than do anybody an injustice.<sup>21</sup> According to Laurel, what is unjust is immoral and what is immoral is stupid.<sup>22</sup>

The relation of law to justice lies in that, according to Laurel's mind, the aim and purpose of law is justice.<sup>23</sup> Law is that which differentiates between good and evil—between just and unjust.<sup>24</sup>

As may be seen above, Laurel did not identify law with justice. At least, he left a gap between the two—law being the means and justice, the end. It may be gathered though that, according to Laurel's thinking and at the same time reduced to a simpler form, justice is the greatest good of the greatest number. Such categorization finds justification in Laurel's own statement that "no single Filipino will ever consider his own personal, individual welfare and interest to be higher or more important than the interest and welfare of the nation as a whole."<sup>25</sup>

Aside from the utilitarian flavor which he attributed to justice, Laurel had the tendency to stress the distributive and corrective qualities of justice. After realizing that if law should be taken

<sup>19</sup> Laurel distinguishes, however, between morality and the physical world in the following manner: ". . . Unlike the physical world which encompasses only the phenomenal and sensual, morality rests in the supersensuous sphere of the spirit where the inner verities are apperceived above the accident of time and space and virtue is rendered secure against the constant provocation of the senses. From this point of view, moral order is divine, the righteousness as an essential attribute, is its primal law and guiding principle." *Id.* at 28.

<sup>20</sup> LAUREL, *FORCES THAT MAKE A NATION GREAT* 51 (1944).

<sup>21</sup> Explaining his point on justice a little further, Laurel said: "A just man invariably appraises men and things on the basis solely of their intrinsic worth and value, and guides his action with reference to them accordingly. Justice is a noble virtue and among the hardest for imperfect man to practice faithfully. 'Man is unjust but God is just' has been the common lament since the beginning of humanity. All the more honor therefore to the man who acts justly in all circumstances." *Id.*

<sup>22</sup> Laurel, *The Foundation of Human Relationship*, 14 L.J. 58 (1949).

<sup>23</sup> LAUREL, *PROCEDURAL REFORM IN THE PHILIPPINES* ix (1940).

<sup>24</sup> LAUREL, *ASSERTIVE NATIONALISM* 154 (1931).

<sup>25</sup> LAUREL, *OUR ECONOMY—WHAT CAN BE DONE* xi (1956).

away or abolished, all things will fall into confusion and every man will become law to himself, Laurel pointed out that law has the power to prevent, to restrain and to repair evils.<sup>26</sup>

In elaborating on what he considered the vital functions of popular government, he deemed justice as one of those functions. To support his point, he argued that even if the citizens should be healthy and fairly well-clothed and well-housed, but did not enjoy equality before the law, nor material and moral rewards commensurate with their toil and service or with their contribution to the social good, they would still be far from happy and contented. There is no adequate justice when too few of the people have too much while too many have too little, not only of the world's material goods but also of the moral intangible satisfactions that come from enjoying the equal protection of the laws from the non-discriminatory dispensation of rewards for labor and service.<sup>27</sup>

In line with his views on corrective and distributive justice, Laurel noted that uprightness and fearless impartiality are not exclusively a judge's virtue. Everyone needs to be just and render unto others what is theirs by right.<sup>28</sup>

But how can justice be achieved in reality? An answer to this question was made by Laurel when he stated that justice is administered through knowledge and ascertainment of the truth. To gain this lofty objective, he opined that a method must be prescribed, a path indicated, a procedure ordained.<sup>29</sup> He realized that no method of administering justice will work without a competent judiciary to operate it.<sup>30</sup> His realization is buttressed by an awareness that law is frequently but a vague expression of a general principle, and courts have virtually to "legislate between gaps" and that not infrequently also the indicated path is or leads to a winding zigzag with the result that the destination is reached with difficulty, expense and perchance, peril.<sup>31</sup> Furthermore, Laurel was also aware that if, for example, a small man is a victim of a grievous wrong but cannot get redress in the courts either because he cannot afford the expense or the courts are biased against him, there is no regime of justice.<sup>32</sup>

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<sup>26</sup> See *supra* note 24.

<sup>27</sup> LAUREL, BREAD AND FREEDOM 16 (1953).

<sup>28</sup> LAUREL, FORCES THAT MAKE A NATION GREAT 52 (1944).

<sup>29</sup> See *supra* note 23.

<sup>30</sup> Laurel, Looking Forward: The Golden Age of Procedure, 8 L.J. 366 (1940).

<sup>31</sup> See *supra* note 23.

<sup>32</sup> See *supra* note 27.

## V. LEGAL INTERPRETATION

When Laurel stated that courts have virtually to "legislate between gaps" in cases where the law is a vague expression of a general principle,<sup>33</sup> he in effect admitted the existence of judge-made law. This declaration derives added meaning from his other statement that "courts have a definite responsibility to perform" and "therefore, they must have the necessary power to meet this responsibility."<sup>34</sup>

An inkling of such a definite responsibility as Laurel would want the courts to perform may be had from the manner or approach he would want the judiciary to follow in the process of law interpretation. According to Laurel, the truth is that law cannot be interpreted to the letter "which killeth" in derogation of its spirit "which giveth life."<sup>35</sup> Laws, and political laws specially, should be interpreted with broad vision, with statesmanship, and that interpretation should be given which is intended to subserve national interests, having in view the history, the trend of events, nay, the aspirations of the people.<sup>36</sup>

Indeed, such a view as Laurel expressed above merely confirms an observation made earlier that he did not subscribe wholly to the positivistic theory, much less to strict positivism.<sup>37</sup>

## VI. LAW AND THE INDIVIDUAL

That the law is a dead and lifeless thing without individual initiative to give it life and meaning Laurel clearly perceived. In his own words, individual action is essential in order that fire may be injected into the spirit of the law and the breath of life breathed into its skeleton.<sup>38</sup> He also recognized that no method of administering justice will work well without a competent judiciary to operate it and that the indispensable and ultimate factor of any procedural system is man.<sup>39</sup>

It is his cognizance of this fact that must have caused him to bewail that notwithstanding man's conquest by means of science of the inorganic and the animal world and his harnessing of their forces to minister to his needs and to his fancy, man has neglected the science of man as a human being.<sup>40</sup>

<sup>33</sup> See *supra* note 31.

<sup>34</sup> LAUREL, PROCEDURAL REFORM IN THE PHILIPPINES 37-38 (1940).

<sup>35</sup> LAUREL, ASSERTIVE NATIONALISM 113 (1931).

<sup>36</sup> *Id.*

<sup>37</sup> See *supra* note 16.

<sup>38</sup> LAUREL, POLITICO-SOCIAL PROBLEMS.

<sup>39</sup> See *supra* note 30.

<sup>40</sup> Inaugural address delivered by Jose P. Laurel on October 14, 1943, at the Legislative Building, Manila, Philippines, 14.

According to Laurel, it is not enough that a citizen take care that in his daily life he does not violate any of the many rules, regulations and ordinances of the State. The citizen must also see to it that the laws are observed by the whole community, that the officers of the law attend to its enforcement and properly perform their duties.<sup>41</sup> Because of this necessity, Laurel suggested that the people should evolve a new type of citizen who would be ready and willing to subordinate himself to the larger and more vital interests of the State. The new citizen, therefore, is he who knows his rights as well as his duties, and knowing them, will discharge his duties even to the extent of sacrificing his rights.<sup>42</sup> In his daily transactions of life, such a citizen is habitually restrained, considerate of the feelings, the rights and the well-being of others, respectful of the value of time, punctual in his engagements and obligations, and one who concentrates on the work at hand.<sup>43</sup> These individual qualities of a new citizen Laurel emphasized because he believed that if righteousness is the guiding principle of individual morality, righteousness must necessarily be the sole principle of social relationship and action,<sup>44</sup> and that righteousness is the moral guide and root principle for the individual whatever be his religion.<sup>45</sup>

#### VII. LAW AND SOCIETY

As Laurel put it, man, even if he should so desire, cannot detach himself from the divinity of his origin and the consequent moral order, nor from the reality of the cosmological system and the sociological imperative of his nature which requires government, law and order.<sup>46</sup> The individual lives not for himself and for his family alone, but in a community of fellow human beings, each of whom has interests and problems, more or less identical with his.<sup>47</sup>

<sup>41</sup> LAUREL, FORCES THAT MAKE A NATION GREAT 25 (1944).

Laurel explains his view on law enforcement in this wise: "Passive inaction or tolerance is worse than actual and flagrant infringement of the law of the land, for in the latter case the law itself provides a remedy and administers a corrective to the erring individual. But the law is powerless to deal with that type of citizen who is so wanting in civic courage that he allows crime to be committed in his presence without even lifting a finger to prevent its execution, who is so lacking in civic pride that he tolerates the evils of vice and graft in the community, without doing anything to put a stop to them; who has such a distorted sense of civic values that so long as his selfish pursuits are unmolested he does not give a thought to whatever happens to his neighbors or to the rest of his fellow citizens for that matter; and who does not care whether or not there is such a thing as 'government' at all." *Id.* at 25-26.

<sup>42</sup> See *supra* note 40.

<sup>43</sup> See *supra* note 41 at 55. Also *supra* note 25.

<sup>44</sup> LAUREL, MORAL AND POLITICAL ORIENTATION 30 (1949).

<sup>45</sup> Laurel, The Foundation of Human Relationship, 14 L.J. 59 (1949).

<sup>46</sup> LAUREL, BREAD AND FREEDOM 4 (1953).

<sup>47</sup> LAUREL, FORCES THAT MAKE A NATION GREAT 58 (1944).

Elaborating on the nature of man's relationship with his fellow human beings, Laurel stated that each member of the community "suffers, more or

Community living imposes obligations and responsibilities upon the individual which he must gladly shoulder.<sup>48</sup>

Individuals differ in temperaments, ideals, and, therefore, in thought and action. Conflicts of interests arise between them, specially where the same object of satisfaction is sought. These are the reasons upon which Laurel based the necessity of certain rules of ethical behavior for the governance of the imperative and unavoidable relationship between man and man.<sup>49</sup> Differently stated by him, social morality is individual morality collectivized.<sup>50</sup>

Laurel also voiced the view that reverence for the law as the expression of the common good is a fundamental condition of social life.<sup>51</sup> Such law may take the form of rules which, whether self-imposed or dictated by some external authority in the laws, customs, and traditions, must find their rationale in some guiding principle capable of being enunciated or formulated.<sup>52</sup>

Recognizing the necessity to adapt ourselves to the strange stimuli of a new environment and undergo the travails of constant adjustment and readjustment,<sup>53</sup> Laurel stated that progress is impossible without individual and social discipline and human effort is fruitless and mere dissipation of energy if it is not directed and controlled by an energetic will and the inflexible dictates of conscience. As further enunciated by Laurel, it is discipline that strengthens the will and sharpens the eyes of reason, and all organisms obey God-ordained laws of development and the universe itself will fall apart without that order which is "Heaven's first law."<sup>54</sup>

#### VIII. LAW AND GOVERNMENT

The foundation stone of all governments, Laurel believed, is law and order. Without law and order, it would be impossible to promote education, improve the condition of the masses, protect the poor and ignorant against exploitation, and otherwise insure the enjoyment of life, liberty and property.<sup>55</sup>

In a speech which he made in 1943, Laurel concluded that, in the ultimate analysis, all government is physical power. He even

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less from the same weaknesses that flesh is heir to, is prey to similar worries and fears and preoccupations which make up the average lot of common humanity." *Id.*

<sup>48</sup> *Id.*

<sup>49</sup> LAUREL, MORAL AND POLITICAL ORIENTATION 30 (1949).

<sup>50</sup> Laurel, The Foundation of Human Relationship, 14 L.J. 57 (1949).

<sup>51</sup> See *supra* note 47 at 25.

<sup>52</sup> See *supra* note 49.

<sup>53</sup> See *supra* note 40 at 19.

<sup>54</sup> LAUREL, FORCES THAT MAKE A NATION GREAT 55 (1944).

<sup>55</sup> *Id.* at 25. Also *supra* note 38 at 11.



went to the extent of saying that all government is doomed which is impotent to suppress anarchy and terrorism.<sup>56</sup> However, he did not overlook the finer principles that underlie good government. Recognizing righteousness as the key to brotherhood among men and to lasting peace among nations, he stated that righteousness is the moral guide and root principle for the individual whatever be his religion, and the foundation rock of good government.<sup>57</sup>

Laurel knew that it is a well established principle of modern government that the law is the ruler. To Laurel's thinking, whatever the law commands, the subject, be he an individual, the executive, the judiciary or some other tribunal, has to do or decide. These he considered as the three important ways where the law is supreme and indisputable master of its subjects. Conversely, no man is over the law.<sup>58</sup>

The promotion of common good is the guiding principle of all governmental activities. The holding of a public office is not an occasion for personal aggrandizement but an opportunity for public service. For these postulates which he set forth, Laurel gave one reason, namely, that the beneficiaries of an established government are the people and the people only.<sup>59</sup> He elaborated that no government ought to affirm that it exists for the purpose of checking or choking the vested individual rights of its citizens, and that the government should make it plain and clear that the laws are supreme and sovereign over the individual or any set of individuals, however powerful he or they may be.<sup>60</sup>

According to Laurel, law can no more exist without government, in one form or another, than man can endure without law. While it is admitted that law and man are indispensable in a legally established government, to Laurel's mind, it must also be admitted that the law must prevail over man, if a government of laws and not

<sup>56</sup> See *supra* note 40 at 4.

<sup>57</sup> See *supra* note 50 at 59.

<sup>58</sup> LAUREL, *ASSERTIVE NATIONALISM* 153 (1931).

<sup>59</sup> See *supra* note 54 at 26.

<sup>60</sup> See *supra* note 58 at 152.

Laurel further elucidated on the principle of government of laws and not of men thus: "A law, which is promulgated and made solely by one man, may also be abolished or unmade by the sole power which created it. It is obvious and clear, therefore, that in this case the law is subservient to the man, so that a government of one man and not of law is perforce established under the circumstances. But if the law is promulgated and created by many persons, as by representatives of the people, then no man is governed by another; but they are all governed by that instrumentality which they created, that common interest and common understanding which they promulgated as the standard and rule of conduct which gauge the actions of men, and are, therefore, supreme and sovereign." *Id.* at 149-150.

of men should be the final objective.<sup>61</sup> While advocating that whatever is given us and secured to us by our laws should be safeguarded and defended, Laurel cautioned that any attempt to curtail the exercise of the legal and constitutional rights thus granted should be resisted within the bounds of law.<sup>62</sup>

As to the role of law in fostering harmony between government and private interest, Laurel stated that the law is the boundary or measure between the government's prerogative and the people's liberty. Laurel sort of dramatized the relationship between authority and liberty in that while these move in their own orbs, they are a support and a security to one another, namely, the prerogative a cover and defence to the liberty of the people, and the people by their liberty are enabled to be a foundation to the prerogative. But, Laurel elucidated further, if these bounds are so removed that they enter into contention and conflict, one of these mischiefs must ensue; if the prerogative of government overwhelms the liberty of the people, it will be turned into tyranny; if liberty undermines the prerogative, it will grow into anarchy.<sup>63</sup>

#### IX. CONCLUSION

Laurel did not fashion any new system of legal thought in the sense of what Austin<sup>64</sup> and Kelsen,<sup>65</sup> to mention only two, did in the past and in recent years, respectively. At least, his writings neither show the emergence of such a system nor indicates a purported undertaking toward that end.

Notwithstanding the failure of his ideas on law and justice to germinate into a system, Laurel's thinking succeeded in isolating and clarifying some important jurisprudential propositions. Such effort as this he exerted in the speculative realm, significantly with sound footing on his country's peculiar legal situations. This he

<sup>61</sup> *Id.*

<sup>62</sup> *Id.* at 110.

<sup>63</sup> *Id.* at 155.

The role of law in balancing government prerogative and individual interest is stressed by Laurel in this wise: "The law is the safeguard, the custody of all private interest. Honors, lives, liberties and estates are all in the keeping of the law. So that it can be established as dogma, the law, as we have repeatedly stated, must be supreme and sovereign. Without it, there can be no government; and without government, there can be no nation or state. There will only reign tyranny and anarchy, despotism and chaos."

The very ideal of civil liberty consists in the right of every individual to claim the protection of the laws, whenever he receives an injury or whenever he is oppressed. To attain this ideal, there is no other alternative but that the State, in the performance of its sovereign and inherent power, must establish a 'government of laws and not of men'—an agency where the law must of necessity and policy prevail over the whims of men." *Id.*

<sup>64</sup> See AUSTIN, *PROVINCE OF JURISPRUDENCE DETERMINED* (1954).

<sup>65</sup> See KELSEN, *GENERAL THEORY OF LAW AND STATE* (1945).

did with such consistency and logic as can only be rivaled in accuracy and depth by his solid background in the humanities and his profound understanding of man and society. All this is attributable to Laurel's legal as well as meta-legal preparations which can be said to be more than merely adequate.

Of any particular school of legal thought, Laurel can not be properly called a disciple. As may be discerned from his writings, Laurel generally subscribed to a number of them. However, it can be easily noticed that, while he had much respect for the letter of the law, Laurel did not hesitate to prefer the spirit of the law if to follow the latter would carry out the purpose of the legislator and serve the interests of society.<sup>66</sup>

While Laurel showed an unmistakable tendency toward natural law, he did not completely abandon legal positivism.<sup>67</sup> There are indications that Laurel did not escape entirely the lessons of history which proved as valid some of the traditional criticisms against the so-called strict positivism.<sup>68</sup>

Whatever categorization may be made of Laurel's ideas on law and justice, one thing is certain. Laurel's thinking in this sphere of human knowledge has blazed many a difficult trail in the Philippine legal system and has served, and will continue to serve, as a tested guidelines for the country's legal thinkers and reformers.

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<sup>66</sup> See *supra* notes 35 and 36.

<sup>67</sup> See *supra* notes 16 and 37.

<sup>68</sup> See *supra* note 36.