

THE DEAN'S REPORT, 1963-64
College of Law, University of the Philippines

August 29, 1964

The President
University of the Philippines
Diliman, Quezon City

Sir :

I have to submit the following report on the operation and activities of the College of Law for the academic year 1963-1964.

I

**THE U.P. LAW CENTER:
OPPORTUNITY AND CHALLENGE**

Speaking in 1925 at the dedication ceremonies of the Lawyers Club of the University of Michigan Law School—the law school which gave us our beloved founder and first dean, the late Justice George A. Malcolm—James Parker Hall, then Dean of the University of Chicago Law School stated:¹

“A change is taking place in the conception of the proper function of a University law school. *Until very lately it was conceived almost wholly as a high-grade professional training school*, employing it was true, scholarly methods and exacting standards of study and achievement, but only indirectly seeking to improve the substance and administration of our law. The law, it was assured, was what the courts and legislatures made it, and the task of the law school was to analyze, comprehend, and classify this product, and to pass on to students a similar power of analysis, comprehension, and classification, as regards at least the principal topics of the law, so as to enable them worthily and successfully to play their parts as judges and lawyers in the lists of future litigation.”

Dean Hall, however, was quick to reassure his listeners—which undoubtedly included a group of law teachers—that this primary law school function of providing “high grade professional training,” was unquestionably a worthy one; that, indeed, it should be prior to all others. “No task of a law school,” he stressed, “can ever be more important than that of giving the best possible legal education to those who will be practitioners and judges of the next generation.” This is so for in the final analysis, “the law is administered and largely made by lawyers and judges, in the course of, and as incidental to, litigation.”

¹ James Parker Hall, *The Next Task of the Law School*, 24 Mich. L. Rev. 42-49 (1925).

But as early as that period, Dean Hall could already assert that in the United States "the battle for fair educational standards for the legal profession (was) in the way of being won." In view of this he thought that it was time to rally the law schools to a new task "of a different sort."

This "new task," which in that decade must undoubtedly have seemed "pioneering" in character, was the increasingly felt need for the assumption by the law schools of a more direct and a more active participation in the improvement of the "substance and administration of (the) law." To this end, he envisioned the need for the law schools—at least, for the "better" of them—to become centers of organized research. As such centers he conceived their goal as being to "provide skilled research in the principal topics of the law, the development of capable experts in those fields, and the publication of the results of such research so as to be readily available to the profession." One specific and immediate aim of such research work, particularly, those which may be carried out "in the larger state university schools," should be to "make an intensive study of the law of its own state for the benefit of the local bench and bar."

In order that law schools may serve as effective organizations for the accomplishment of this new task, Dean Hall correctly foresaw that it would require "a substantial increase in the present size of law school faculties, a diminution in the hours of teaching, and the deliberate making of productive legal scholarship a larger end of law school efforts . . ." He noted further that the prosecution of this new function would "involve larger law school libraries and a considerably increased expenditures for law schools."

However, he also anticipated that the increased stress on "productive legal scholarship" would stimulate "the encouragement of true graduate work in law—not merely in the sense of prescribing extra courses but in the more vital sense of training legal scholars . . ." And to forestall the possibility of effort being paralyzed from the outset by forebodings of futility, Dean Hall urged observance of "a certain period of faith in the wisdom of the undertaking while awaiting the fruits that cannot be immediately garnered." Finally, he counselled that "in order that the social rewards of such endeavors may be realized to the fullest extent" the "widespread and harmonious cooperation with the bench and bar" would have to be secured.

The continuing validity of Dean Hall's observation is attested by the fact that almost 25 years later, at the centennial anniversary

of the same law school in 1959, Edward H. Levi, then the incumbent Dean of the University of Chicago Law School, who in his turn had been invited to speak at this occasion, thought it appropriate to reiterate a similar message.²

Of course, since 1925 when Dean Hall spoke, or even since 1959 when Dean Levi followed Dean Hall upon the same stage, much in the way of putting the latter's recommendations into effect in the United States has already been accomplished. This is tellingly evidenced by the coming to full flower of the law center movement not only in the United States but in other parts of the world. Nevertheless, even as late as 1962, Dean Griswold of the Harvard Law School could still bewail the fact that much yet remains to be done, not only as to the areas that require investigation, and the variety of studies that needs to be made, but also as to the manner of organizing research activities.³

Turning now to the Philippines, it is hardly necessary to point out that our law schools—the U.P. College of law not excepted—are still geared almost wholly to the task of providing undergraduate instruction in law. This, of course, as noted earlier, is a function that is not to be minimized. Indeed, it may be asserted that a law school which is not dedicated to this end has no excuse for being. As Dean Hall has so aptly pointed out, this task of a law school must “precede all other tasks.”

Nevertheless, as an integral part of the profession of the law, the law schools, especially the law faculties, cannot forever remain indifferent, whether wilfully or unconsciously, to their duty to assist in the improvement of the law as the crucial instrument of justice and as the primary engine of social change and control. It is true, of course, that as law teachers they are presently contributing to this end, if only indirectly, by “giving the best possible legal education to those who would be practitioners and judges of the next generation.” Indeed, this is the reason why it is necessary that we should be uncompromising in our insistence on the highest possible academic standards in all the law schools.

But beyond merely providing adequate professional instruction, the law faculties have a special contribution to make to the improvement of the administration of justice, namely: the continuing advancement of knowledge about the law, particularly those aimed directly at improving the legal system and its institutions. This in-

² Edward H. Levi, *Frontiers and Future Development in Legal Education*, printed in *FRONTIERS IN LAW AND LEGAL EDUCATION* (Addresses given at the Centennial of the University of Michigan Law School, October 22, 23, 24, 1959), 87-96 (1961).

³ Dean's Report, Harvard Law School, 1962-1963, 8-9.

deed, in a task which law teachers are specially equipped to undertake not only to reason of their training and experience, but perhaps even more important, by reason of their advantage in terms of perspective and scholarly detachment. This is especially true of those who are engaged as such on a full-time basis.

In this connection, I think that it may be fairly asserted that the U.P. Law faculty has always been conscious of its special obligation in this regard. And that its members, in their individual capacities, have always endeavored to discharge it to the best of their abilities, mostly through publications, and occasionally, through participation in the work of legislative committees and other governmental bodies. But such efforts have been mostly sporadic, occasional, unorganized. This situation was undoubtedly unsatisfactory, but understandably unavoidable in view of the heavy demands imposed by the school's primary teaching function upon their time, energy and resources.

However, with the gradual reduction of enrollment since the implementation in 1960 of the four-year pre-legal education requirement, the pressure exerted by the school's teaching function began to diminish correspondingly. Quite naturally, the faculty turned its attention to other activities and began to concern itself more seriously with the problem of improving the legal system and the administration of justice.

Last year, this new concern culminated in the establishment in the College of Law of a Continuing Legal Education and Research Program. The establishment of this program was made possible by the grant of an additional allotment of ₱25,000 to the law budget.

It is of course obvious that this amount is too small to warrant the undertaking of a research program of major importance. And if this is the only amount which could be made available for research purposes, it would be long before the law faculty can contribute significantly to the task of law reform. Fortunately, however, the problem of securing adequate financing for such activities was quickly solved by the enactment this year of Republic Act No. 3870 which established the U.P. Law Center.

In this connection, I wish to make of record the fact that the successful enactment of this act is attributable chiefly to the effort and dedication of Professor Perfecto V. Fernandez, as well as to the invaluable assistance provided him by Professors Crisólito Pascual and Sulpicio Guevara.

Under this Act, it is sought to raise the necessary amount by imposing additional fees on all cases—original as well as appellate

—brought before all courts and administrative tribunals throughout the country. And it is estimated that this device will yield an annual income of about ₦150,000 which will become available beginning with the fiscal year 1965-1966.

Thus, for the first time, funds for research purpose in an amount not heretofore available—nor even merely dreamed about—will at last be provided to the law faculty. Surely, this is the opportunity for the law faculty to provide the needed leadership in the task of law reform, the lack of which, to my mind, has been chiefly responsible for the continuing stagnation of our law. But more than leadership, the task of law reform demands continuing attention. For, as Dean Rostow of the Yale Law School has so correctly pointed out, “in the nature of the law the force of inertia is great, and requires constant opposition if the law is to achieve enough momentum to remain reasonably abreast of changing times.”⁴

The availability of adequate funds for serious research is, however, more than a mere opportunity: *it is a challenge*. Now, more than ever, the law faculty will be called upon insistently to give concrete illustration of its capacity and willingness to contribute to the improvement of our legal system—if indeed it has such qualities. To my mind, this is a commitment to which the College of Law is pledged by its acceptance of public funds precisely for that purpose. This, surely, is a responsibility which the law faculty, whether singly or as a group, can not take lightly, nor indeed ignore. And I feel certain that it will not.

At this point, it is perhaps appropriate to point out that the assumption by the law faculty of this new responsibility will not necessarily mean the minimization of its purely instructional responsibilities; nor should it result in its consequent impairment. Quite the contrary, the establishment of the Law Center will provide us with a means for alleviating some of the problems which have plagued the College of Law since its establishment. Of these the most prominent are the inter-related problems of (a) heavy teaching load, (b) low research productivity, and (c) inadequate remuneration on the part of the regular or full-time faculty.

As soon as the funds provided for under Republic Act No. 3870 will become available, it is planned to encourage the regular faculty to undertake serious research projects, particularly those aimed at law reform. To this end incentives will be afforded in the form of reduced teaching loads and additional compensation by way of honorarium in sufficiently substantial amounts. One specific advan-

⁴ Bulletin of Yale University, Series 58, No. 12, June 1962, Report of the Dean and the Librarian, Yale Law School, 3.

tage of this proposed solution to these problems is the fact that the improvement of each individual faculty member on all three scores will depend his own initiative, ability and willingness to work.

At the same time, the encouragement of research activities on the part of the faculty can contribute to the improvement of the purely teaching function in many ways. For one, engagement in research which goes beyond the ordinary demands of under-graduate instruction is a built-in advanced studies program for the faculty. It is a well-known fact, for instance, that graduate programs in law, especially those leading to degrees beyond the master of laws (LL.M.) consist almost wholly of research and writing. Thus, it will be seen that the research and law reform activities of the Law Center can serve at the same time as a continuing faculty improvement program.

In addition, it is also hoped that once effectively established and operating, research work can provide opportunity for more intensive training particularly to advanced students. Such opportunities are necessary if these students are to be adequately challenged and afforded a means for the fuller development and expression of their potential. As explained by Dean Griswold:⁵

"Research work, when it is effectively established and operating, will inevitably be important to the processes of legal education . . . (T)he research tasks themselves will often be ones on which students, particularly advanced students, can work themselves, as is now the general practice in the natural and medical sciences. Some of the best of education can come when a younger man works closely with an experienced scholar on a problem of common interest. We do too little of this in a legal education, partly because of lack of facilities and personnel. With the development of an actively functioning research staff as an integral part of a law school, the possibilities here would be considerably increased."

In other words, the research program of the Law Center can also serve as some kind of honors curriculum for the undergraduate program. At the same time it can serve as a means for accelerating the expansion of the graduate program. To this end, it is planned to attract and provide incentive for the truly deserving and competent by establishing an adequate number of grants in reasonably substantial amounts for full-time graduate fellows. These graduate fellows in turn may be made to serve as research assistants to alleviate the man-power needs of the Law Center.

Finally, again as Dean Griswold has pointed out, research work can "develop much material which will be of direct use in the classroom." Nowadays the air is rife with agitations for the reform of

⁵ See note 3, *supra*.

the law curriculum. I for one share the sentiment that these agitations are timely, and indeed urgent. But, at the same time, I am unable to escape the feeling that no meaningful reforms can be effected unless, first, an adequate study is made of the new role of the legal profession in a rapidly changing society. Such a study is necessary not only in the field of private practice, but in all the various services to which the members of the profession are being constantly recruited. Of this, perhaps the most important would be the public service in all its various branches. Such a study appears to me to be important for the reason that the findings which may be reached could furnish the necessary guides for determining what minimum fund of information needs to be imparted, what skills to be developed, what attitudes to be inculcated.

Another essential precondition to curriculum reform, to my mind, is a thorough and a comprehensive study and investigation of the whole corpus of Philippine law. Such a study should aim at a systematic inquiry into the changes which have taken place in the law in both concept and operation, the extent of such changes, and the probable direction which such changes are likely to take. In this connection it may be noted that such a study of our legal system has yet to be made. For guides to such a study I suggest Professor Friedmann's two recent volumes, namely, *Law in a Changing Society* and *Legal Theory*, particularly Part III of the latter volume. To underscore the importance of such a study, one needs only to cite a single example.

For this purpose I suggest an examination of what I suspect is still the dominant approach to the concept of a contract, namely, through the classical mold of the Roman model. The essence of this concept is usually expressed in such 19th century catch-phrases as "freedom of contract" or "autonomy of the will." This model, in accordance with the classical theory, assumes two parties bargaining freely with each other without outside interference. While this conception of a contract is undoubtedly still valid, it should need but little reflection to realize that it is inadequate if not indeed seriously distorted. This is so for the reason that in almost all of the major contracts, such as transportation, insurance, banking, labor and tenancy, etc., much of the area which was previously open to bargaining between the parties has already been preempted by administrative regulations of ever increasing comprehensiveness—such that the traditional public law-private law dichotomy in this area has been largely obscured and obliterated. And yet I wonder whether the radical modification which this change has effected upon the concept of a contract is at all considered in the stock classroom discussions

of that subject. I for one strongly suspect that it is precisely omissions of this sort which has been chiefly responsible for fostering and perpetuating the gap between the so-called "law-in-the books" and the "law-in-actual-operation."

The contribution which research can make to the improvement of legal education has been aptly summarized by Professor Willard Hurst, thus: ⁶

"The strategy most likely to bring fresh vigor and resources into the university law schools would be, for at least ten years to come, to assign a preferred position in their programs to promotion of basic research into the nature, function and working realities of (the) legal order."

One final remark. As Dean Hall has counselled, in order to realize the "social rewards" of the research activities "to the fullest extent," it would be necessary to involve the bench and the bar in such endeavors. This too is a sentiment which I share wholeheartedly, for I believe with Professor David Cavers, Associate Dean and Chairman of the Committee on Faculty Research of the Harvard Law School, that we in the schools have much to learn from those directly concerned with the actual operation of the legal system. As explained by him: ⁷

"There remains a need . . . to develop technique for research outside the Law Library which will extend more widely, which can enrich the teaching of law and the understanding of legal problems as the familiar library research has enriched them.

"This is not an easy problem. In broad terms, the goal would be, first, to make available to law teachers and students a fund of information bearing on significant developments in legal practice and on the interaction of law and economic and social activity. We know that much of the growth of modern law is reflected in the work of the law offices as distinguished from the courts and the legislatures. This growth largely escape study; even the practising lawyer who engages in it can ordinarily see only a segment and sometimes a misleading one. Similarly, though we can trace changes in law through library study, we are often unable to appraise their significance because we do not know what adjustments have been made in response to them by businessmen or by other affected groups in the community. And, since much official conduct is unreported, we have only a partial picture of the changes in law administration which result from changes in law and in the activities law affects.

"More knowledge in all these directions can give greater depth and reality to law teaching. But its usefulness need not be limited to the gradual process of professional education. As the law teacher gained a more comprehensive picture of a particular problem through investigations directed to the facts of legal practice and business behavior, he

⁶ Willard Hurst, *Research Responsibilities of University Law Schools*, 10 *Journal of Legal Ed.* 147, 161 (1957).

⁷ Dean's Report, Harvard Law School, 1950-1951, 3-5.

could subject this information to analysis and evaluation and report his findings to the bar. Methods of solving a difficult problem in long-term supply contracts, for example, would not remain the sole knowledge of the particular law firms which devised them. Professional achievements are not trade secrets: there should be ways to disseminate them; and the law schools represent a very appropriate channel."

But I am interested in encouraging cooperative endeavors with the bar, as well as with the bench, not only for what we in the schools can hope to learn from them, but for still another reason. And it is this: through such cooperative endeavors was hope to be able to foster greater interest in and a deeper appreciation for serious legal scholarship—in hope that thereby we may be able to revive the ancient tradition of the law as a learned profession.

But even more than this, through such endeavors we hope too to be able to awaken among the ranks of the profession a keen awareness on their part, singly and as a group, of their immediate responsibility for the improvement of the law and its institutions as the active ministers of justice. This, to my mind, is important for I am convinced that any effort at law reform which does not have the active support of the bench and the bar has but little chance of success.

In short then, we seek as well to re-kindle in the profession as a whole the spirit of public service—this spirit which, so Mr. Justice Cardozo⁸ assures us, is in its truest moments, still the spirit of the bar—but which, unfortunately, has been largely smothered by the almost single-minded preoccupation of the profession with "the pursuit of power and pelf." And if I may be allowed to indulge my own illusions, I would like to add that we in the College of Law—sheltered as we are within its cloistering wall against the fever and the rage of living—can still dream of that distant day when the Law Center shall truly embody all the idealism and the highmindedness of that ancient and noble brotherhood of the law, so that it may serve for all of us as a beacon upon the hill, "... to steady us when we seem to falter, to strengthen us when we seem to weaken, to (re-)sure) us that with all the failings and the backslidings, with all the fears and all the prejudice, the spirit is still pure."⁹

I have no doubts that this is a task which will demand heroic effort and supreme dedication, and will require many years and many generations to accomplish. But I have faith that it can be done

⁸ Benjamin N. Cardozo, *Our Lady of the Common Law*, reprinted in SELECTED WRITINGS OF BENJAMIN NATHAN CARDOZO (Margaret E. Hall, ed., 1947), 87-97.

⁹ *Ibid.*

—if we can but find in ourselves the fortitude, the imaginativeness and the resourcefulness to will it so.

These are the hopes and the aspirations which, through all the hardships and the adversities, the frustrations and the discouragements, inspired and sustained the vision of the Law Center.

It now remains for the present membership of the law faculty, and for those who will follow after them, to match these hopes and these aspirations with energy, resourcefulness and vision, and to translate them into reality.

II

STUDENTS

A. Enrollment

1. *Diliman and Manila*

The comparative enrollment figures during the academic year 1962-1963, and 1963-1964, and the summer terms 1963 and 1964, are as follows:

TABLE I

	<i>First Semester</i>		<i>Second Semester</i>	
	1962-1963	1963-1964	1962-1963	1963-1964
Undergraduate students				
First year	102	133	100	123
Second year	39	75	39	73
Third year	27	34	29	50
Fourth year	110	34	114	38
TOTAL	278	276	282	284
Graduate Students:	8	7	5	3
Female Students:	51	46	49	49

TABLE II

	<i>Summer Term 1963</i>	<i>Summer Term 1964</i>
Undergraduates:	53	74

2. *The LL.M. Summer Regional Program in Davao City*

Two additional graduate courses, namely World Community & Law and Contemporary Legal Problems were offered in Davao City last summer. Both were handled by Professor Bienvenido C. Ambión. In all, a total of 7 graduate students registered.

Last summer's offering was the third, and it is hoped that the program will be completed soon.

B. *Scholarship and delinquency*

Following are the comparative scholarship and delinquency figures for the academic years 1962-1963 and 1963-1964:

TABLE III

	<i>First Semester</i>		<i>Second Semester</i>	
	1962-1963	1963-1964	1962-1963	1963-1964
University Scholars	1	2	1	None
College Scholars	13	6	8	13
Student Dropped	4	14	15	22

C. *Graduates*

A total of 20 students were graduated with the degree of Bachelor of Laws. Of these, two were conferred their degrees with honors namely:

TABLE IV

<i>Name</i>	<i>General weighted average</i>	<i>Honors</i>
1. Chanco, Maria Ana C.	1.52	<i>Cum laude</i> and (Class Valedictorian)
2. Tinio, Ferdinand S.	1.74	<i>Cum laude</i> and (Class Salutatorian)

D. *Summer Class, Summer Term 1964*

Listed below were the courses offered during the summer term 1963, opposite which are the names of the faculty members who handled them:

Political Law 1	Professor Troadio T. Quiazon, Jr.
Civil Law 5	Professor Araceli Baviera
Civil Law 3	Professor Estelito Mendoza
Procedure 2	Professor Bartolome Carale
Welfare Legislation	Professor Ramon T. Jimenez

E. *Bar Examination Results of 1963*

Of the 78 candidates certified by the College of Law to take the bar examinations given in August 1963, 56 passed. This represents a passing percentage of 72%.

In this connection, it should be pointed out that the national passing percentage was only 22.18%, which is one of the lowest over all passing percentages in the entire history of the bar examinations.

Viewed in this light, the performance of our candidates is not really completely unsatisfactory. Nevertheless, the situation has caused some concern among the faculty and is presently under study by a committee with a view to introducing such measures as may be necessary to improve the situation.

Mr. Hector A. Martinez, who graduated last year as *cum laude* and class salutatorian, placed second in the examinations. In addition, another graduate, Mr. Antonio Picazo, placed 5th.

III

FACULTY

A. New Appointments

During the year under review, the following new appointments to the faculty were made:

TABLE V

<i>Name</i>	<i>Rank</i>	<i>Period of appointment</i>
Carale, Bartolome S.	Associate Lecturer	July 1, 1963-June 30, 1968
Guzman Sixto de Jr.	Associate Lecturer	Nov. 1, 1963-Oct. 31, 1969
Jarencio, Hilarion U.	Professorial Lecturer	Oct. 1, 1963-Sept. 30, 1969
Jimenez, Ramon T.	Associate Professor	July 1, 1963-June 30, 1969
Macaraig, Catalino T. Jr.	Professorial Lecturer	Nov. 25, 1963-June 30, 1968
Makalintal, Querube	Professorial Lecturer	July 1, 1963-June 30, 1968
Regala, Roberto	Professorial Lecturer	July 1, 1963-June 30, 1968
Salas, Rafael M.	Professorial Lecturer	July 1, 1963-June 30, 1969

B. Promotions

Of those already in the service, four were given promotions in salary effective January 1, 1964, namely: Professors Maria Clara L. Campos, Irene R. Cortes, Luis J. Gonzaga, Sulpicio Guevara and Crisólito Pascual.

Professor Jose C. Laureta was also included among those recommended for promotion during the year under review. However, while his promotion was approved, its effectivity was deferred until his return from the Yale Law School where he was then on special detail pursuing graduate studies in law.

C. Special Detail

1. From September 18 to November 18, 1963, I was on special detail in the United States. This trip had five specific purposes, namely:

- (a) To attend a conference on legal advisors and foreign affairs in Princeton, New Jersey;
- (b) To study and observe the latest trends in legal education and law school administration;
- (c) To confer with Yale Law School officials concerning a proposed exchange program between that school and the College of Law;
- (d) To obtain assistance in bringing to the College of Law visiting professors; and
- (e) To visit the grave of Justice Malcolm and confer with his widow on the selection and shipment of additional materials for the Malcolm Memorabilia in the College of Law.

A detailed report on this assignment was duly submitted by me to your office on December 3, 1963, and is incorporated herewith by reference.

2. From January 13-16, 1964, I attended the roundtable conference on the teaching of international law and relations which was held at the University of Singapore.

At the conference, I served as chairman of the roundtable on the teaching of international law and relations, and was subsequently designated member and chairman of a provisional committee established to promote cooperation among them, in order to contribute to the removal of many of the existing obstacles to the promotion of extensive study and research, in international law and relations, and the development of professional competence in them.

The Final Report on the conference was also prepared by me.

3. From August 31, 1963 to August 31, 1964, Professor Jose C. Laureta was granted a special detail to pursue graduate studies in law leading to the degree of Master of Laws (LL.M.) at the Yale Law School in New Haven, Connecticut, U.S.A.

4. From June 20 to June 25, 1964, Professor Troadio T. Quiazon, Jr., represented the College of Law at the second meeting of the Association of Law Teachers of Southeast Asia in Singapore.

D. Extension Service

1. During the year under review I continued to serve as a member of the Board of Pardons and Parole.

2. From January 22 to February 2, 1963 Professor Florentino P. Feliciano served as a member of the Philippine Panel which went to the United Kingdom to negotiate the Philippine claim to North Borneo.

IV.

CURRICULUM

The following changes in the graduate curriculum were effected, namely:

1. The merger of two course offerings, *Law Reform* and *Law and Society*, into a single course, with the following designation, description and credit weight:

LAW REFORM.—An inquiry into the major institution of law and their relations to the social and economic conditions of time and place with a view to a re-study of portions of Philippine law defective in form and substance, and projects for the correction of the same.

Prerequisite: Graduate standing.

Credit: 2 units.

The reason for this change is to eliminate overlapping of subject matter.

2. The institution of a seminar in legal education with the following designation, description and credit weight:

SEMINAR ON LEGAL EDUCATION.—A study of the objectives, methods, and development of legal education; curriculum-planning; law teaching and examination techniques; and the relation of law schools to the courts and the bar with a view to a better understanding of the problems of legal education.

Prerequisite: Graduate standing.

Credit: 2 units.

This course is intended specifically to prepare students for law teaching which is one of the objectives of the graduate program.

3. The requirements of the graduate program were modified by the following resolution:

"A graduate student may with the consent of the Committee on Graduate Studies enroll for credit in any undergraduate course he had not previously taken. However, the total number of units so earned shall not exceed 6 units of the academic requirements for the LL.M. degree."

4. Admission examinations

In the undergraduate program, to further improve the quality of our students, upon my suggestion, the faculty at its meeting on March 21, 1964 resolved to institute a system of entrance examinations to screen freshmen applicants. Professors Sulpicio Guevara, Irene R. Cortes and Luis J. Gonzaga were named to devise the necessary tests.

This measure was put into effect beginning with the current school year 1964-1965. In time we should be able to appraise the effect of this requirement.

V.

EXTRACURRICULAR ACTIVITIES

A. Regular activities

Last school year the following regular extra-curricular activities were held:

1. General elections July 26, 1963
2. Organizational meeting, Order of the
Purple Feather August 1, 1963
3. Organizational meeting, Law Student
Government August 5, 1963
4. First Malcolm Lecture August 9, 1963
Lecturer:
Dr. Florentino P. Feliciano,
LL.B., LL.M., JSD.,
Malcolm Professor of Constitutional Law
Subject:
The Function of Judicial Review
5. Annual awarding of scholarships August 28, 1963
U.P. Law Alumni Scholarships, Carlos
LL. Romulo, Jr. and Carmen Planas
Scholarships
Guest Speaker:
Justice Querube Makalintal
6. Annual Symposium of the Order of the
Purple Feather October 15, 1963
Guest Speaker:
Senator Lorenzo Tañada
Subject:
The Agricultural Land Reform Code
7. Law Christmas Program December 20, 1963
8. First Faculty Lecture January 29, 1964
Lecturer:
Professor Cornelius J. Peck, B.S., LL.B.
Professor of Law, School of Law
University of Washington at Seattle, and
Visiting Professor of Law,
University of the Philippines.
Subject:
Administrative Law and Administrative
Process of the Philippines, An American
Critique.
9. Annual Testimonial Luncheon and Program
in honor of the 1963 successful bar
examininees March 5, 1964
10. Annual "Night Meets Day Debate" March 20, 1964

B. *Special activities*

In addition, the following special activities were held:

1. Tea Party, with the Faculty playing host to the students, in connection with the celebration of Law Day September 19, 1963
2. Special Convocation for the unveiling of the portrait of Dean Emeritus, Jose A. Espiritu, and awarding of freshmen U.P. Law Alumni Scholarships July 23, 1964
 Special Guest:
 Dean and Mrs. Jose A. Espiritu
 Miss Carmen Planas
 Class of 1963, Donor of the Portrait
3. Convocation—Open Forum (sponsored by the Law Evening Organization) February 25, 1964
 Guest Speaker:
 Honorable Librado Cayco
 Undersecretary of Finance
 Subject:
 The Philippines in the International Scene
4. Convocation (sponsored by the Sophomore Class Organization) March 12, 1964
 Guest Speaker:
 Honorable Jose F. Romero
 Subject:
 Congressional Allowances
5. "Barrio Fiesta" commemorating the silver jubilee anniversary of Class '39, and honoring former professors April 30, 1964

C. *1963 Law Christmas Drive*

The Christmas Fund Drive which has now become a regular activity of the College of Law proved as equally successful as other drives in previous years. All in all, a total of ₱949.30 was collected. This amount, which was turned over to the University Christmas Fund Drive Committee, was the largest of the various amounts collected by the different units of the University.

For this accomplishment, the school received special commendation from the President. His letter is quoted below:

University of the Philippines
Quezon City

Office of the President

January 3, 1964

Dean Vicente Abad Santos
College of Law
University of the Philippines

Dear Dean Abad Santos:

This is the second letter of congratulation that I am writing you to-day—I do so with great pleasure because I have just seen the list of

donors to the U.P. Christmas Fund for our laborers and the underprivileged on our campus and the College of Law tops the list for having given the largest amount.

May I ask you to extend my thanks to all those who contributed to bring cheer to the lives of those who need our help to enliven their otherwise dreary Christmas season.

Mrs. Romulo joins me in expressing to your College our profound gratitude for your cooperation and support.

Sincerely,
CARLOS P. ROMULO

C. *The U.P.-Legazpi Colleges Debate*

On May 26 of this year, upon the invitation of Legazpi Colleges of Legaspi City, a debate was held between a team of the College of Law, composed of Tristan A. Catindig, who acted as captain, and Ruben D. Torres and Macapanton Abbas, Jr., as members.

The subject matter of the debate was: "Resolved: That Divorce as previously allowed in the Philippines be legalized."

While the debate was a non-decision affair, it was the consensus that our team prevailed with flying colors. Also, Macapanton Abbas, Jr., was unanimously adjudged the best debater for which achievement he was awarded a medal.

In view of the success of the affair the authorities of the school, headed by Dr. Manuel de la Cuesta, as president, has suggested that the debate be made an annual affair. This suggestion has been endorsed by Professor Sulpicio Guevara who served as coach and accompanied the boys to Legazpi. He explains that the success of the affair projected a most favorable image of the University.

In this connection it may be mentioned that Dr. de la Cuesta was formerly connected with the University. Also quite a number of the members of his faculty are our alumni.

D. *Publications*

During the year under review, the *Philippine Law Journal* continued to be plagued by the scarcity of worthwhile materials for publication. This factor is chiefly responsible for delays in the prompt release of its regular numbers. It is hoped, however, that with the acceleration of research activities in consequence of the establishment of the Law Center, this difficulty may soon be remedied or at least minimized.

Two special features of Volume 38 are worth mentioning, namely: first, the issuance of a special number devoted exclusively to the Agricultural Land Reform Code which is without question a revolu-

tionary piece of legislation. This issue contained articles discussing the constitutionality of the measure, particularly, its compensation provisions, the concept of administrative due process, and a review of the general philosophy of the Supreme Court on Land reform.

The second noteworthy feature was the encouragement of what the faculty editor terms as "essay-debates" on legal questions of current interest and importance. Two such questions were subjected to thorough examination by authors with diametrically opposing points of view, namely, land reform and tax free mergers and consolidations.

During the same year, the *Law Register* was regularly published as a supplementary to the *Journal*. It is, however, intended primarily for student consumption and is not distributed to non-student subscribers.

Professor Pascual continues to serve as faculty editor of the *Journal*, while Professor Gonzaga serves in the same capacity with respect to the *Register*.

E. Order of the Purple Feather

As indicated above, the annual symposium sponsored by the Order of the Purple Feather dealt on the newly enacted Agricultural Land Reform Code. Aside from the speech of Senator Tañada, who was the guest speaker, students spoke on different aspects of the subject.

VI

THE LAW LIBRARY

As of May, 1964, the book collection has finally reached the 20,000 volume mark. The exact total of the collection to date is 20,828 bound volumes, plus 368 pamphlets. This represents an increase of 873 new books and 32 new pamphlets over last year's collection.

Two additional periodical series, namely, the *Vanderbilt Law Review* and the *Washington Law Review*, were completed. This brings up the total number of completed periodicals from 25 to 27.

Other significant additions to the collection are 15 bound volumes and 60 single numbers of the *International Conciliation* covering the period from 1927 to 1962. These were acquired through the help of Professor Francis L. Deak of the Carnegie Endowment for International Peace.

The Malcolm Memorabilia which last year consisted of 48 volumes has since been increased by 40 more. This brings the collection's total to 88, all of which have been donated by Mrs. Lucille Malcolm.

To augment the book fund for the Law Library, the assessment of a *special library fee* of ₱11.50 per law student has been authorized by the Board of Regents. This *special* fee is separate and distinct from the *regular* fee of ₱38.50 charged against such students.

The Law Library continues to receive generous support from its faculty and alumni. Of the gifts received from alumni last year, three are deserving of special mention: (1) a gift of ₱1,725 from Attorney Esteban Gochan, class of 1952 which was used to purchase a second set of Philippine Annotated Laws; (2) a gift of ₱500 from Attorney Leopoldo M. Abellera, class of 1939, to kick off "Operation Law Library"; and (3) a gift of ₱300 from Class 1953, for the purchase of book shelves.

The progressive improvement of the Library premises continues to be pushed with vigor. Last year the amount of ₱6,100 was spent for the renovation of parts of the ceiling, the repainting of the corridor and porch, and the repair of damaged rain gutters.

During the year under review, the expenditures of the Law Library, particularly for book purchases, was kept within its allotment quota. Needless to state, the avoidance of an overdraft was achieved at the sacrifice of a more speedy enhancement of the book collection. This merely highlights a chronic problem of the Law Library, namely, insufficient funds, not only for books and other materials, and equipment, but also for more trained personnel.

VII

CONTINUING LEGAL EDUCATION AND RESEARCH CENTER

As mentioned in the introduction, last year a Continuing Legal Education and Research Center was established in the College of Law. This department is charged with three specific programs, namely: (a) the Faculty Public Lecture Program, (b) the Research and Publication Program, and (c) the Continuing Legal Education Program.

Professor Crisólito Pascual was appointed Director of the Center. His summary of the Center's activities during its inaugural year is as follows:

I. Faculty Lecture Program

The primary purpose of this particular undertaking is to encourage and accelerate the pace of serious research and study beyond the requirements of ordinary classroom work. Without having to go into details, the mechanics of this particular project involves the choice of lecturer and subject matter, incentives to faculty participation, planning and organization of the lectures, and presentation and publication of the lectures.

The first lecture under this program was presented on January 29, 1964 in Manila. Professor Cornelius Peck of the University of Washington Law School, who was here last year as a Visiting Professor of Law, delivered a lecture on "Administrative Law and the Administrative Process of the Philippines, An American Critique". It was an empirical non-library study of Philippine Administrative Law. The lecture was well attended and well received. Mimeographed copies of Professor Peck's lecture were later distributed to the law faculty, to many members of the bench and the bar, and to administrative courts and agencies of the government.

Professor Bienvenido C. Ambión is now preparing his lecture on the topic "Renvoi: A Novel Doctrine in Philippine Jurisprudence". This will be delivered sometime in October of 1964. Professor Ambión's lecture will deal with the renvoi doctrine and its application in Philippine private international law, with particular reference to the Christiansen case decided in March, 1963 by the Supreme Court of the Philippines. This is the first renvoi case in Philippine jurisprudence.

Professor Perfecto Fernandez is conducting a study of the specific economic objectives of the various labor legislation with the view of restating them from their highly abstract and rhetorical terminology to some sufficient and particular language. He also hopes to determine their individual consistency and the manner and extent to which they overlap or conflict with one another.

II. Research and Publication Program

The first project under this particular program is Professor Sulpicio Guevara's research project entitled "Public Laws, Annotated". This was begun on July 1, 1963. The purpose of Professor Guevara is to revive the 31 volumes of public laws published by the Bureau of Printing before the war which are not available now. It contains 4,275 laws enacted by the Philippine Commission and the Philippine Legislature from 1900 to 1935. When completed, the original 31 volumes will be published in 24 volumes. Every volume will be provided with an index. The last volume will be a desk book more or less and will also contain invaluable Philippine legal documents.

Ten volumes of the project have already been finished by Professor Guevara. But so far, only two volumes are in the press. The publication end of this project is not undertaken by the Continuing Legal Education and Research Program but by the Publication Division of the University of the Philippines. Professor Guevarra is not too happy at the printing pace of his work. He feels that unless a simultaneous print-

ing of the finished manuscripts is arranged by the U.P. Publication Division, the publication of the 24 volumes may not be completed in less than six (6) years.

The importance of this particular legal research undertaken by Professor Guevara is expressed very well by President Romulo himself in the preface to Professor Guevara's work. Among other things the President said: 'Social order is an idea deeply rooted in our social life and that our laws should get lost (at a later stage, ironically enough with the art of printing well developed) is a commentary on a negligence that amounts to a social crime. Professor Guevara's effort rectifies the situation once more, and the University of the Philippines is pleased over the opportunity of making his work possible.'

The next research project will involve the reconstruction of Philippine legal history. This will be a major, original project. When undertaken, the research will be on an ethno-legal basis. The challenge has always been there but the response cannot be made until the necessary fund is available.

III. Continuing Legal Education Program

The non-degree continuing legal education program is divided into two: (1) the Law Institute Program, and (2) the Vacation Studies Program.

A. The Law Institute Program

Two law institutes have already been presented, namely, the *Institute on the Revised Rules of Court*, and the *First Annual Institute on Labor Relations Law*.

1. Institute on the Revised Rules of Court

The planning of this institute began as early as September of 1963. It was presented on December 12, 13 and 14, 1963 in Manila with Mr. Justice Alejo Labrador of the Supreme Court as the special lecturer. He delivered a series of five lectures: three on *Changes in Pleading and Practice*, one on *Changes in Criminal Procedure*, and one on *Changes in Special Proceedings*.

The response of the bench and the bar was very gratifying. There were about 300 participants, including the members of the faculty of the College of Law and the senior law students. Of this number, 273 participants paid a total matriculation fee of P8,190.00. This amount is deposited with the University Cashier and credited to the revolving fund of the Continuing Legal Education and Research Program. (Fund and Account Code No. 6198-4040-401).

Besides practicing lawyers, there were justices of the peace, judges of city courts, judges of Courts of First Instance, Government solicitors, provincial and city fiscals, clerks of court, legal officers of town and city police forces, and lawyers of different government entities who attended the Institute. Many of these participants came from as far North as Cagayan and the Ilocos, and as far South as Cotabato and Davao. These lectures of Mr. Justice Labrador have been recorded and will be published very soon for distribution to the members of the bench and the bar.

2. First Annual Institute on Labor Relations Law

Preparations for this Institute were started sometime in April of 1964. The lectures were given on three successive Saturdays: June 13, 20 and 27, 1964, at the Asian Labor Education Center. Mr. Justice Jose Ma. Paredes of the Supreme Court, Mr. Justice Juan L. Lanting of the Court of Appeals, and Attorney Emiliano Morabe were the special lecturers. Attorney Morabe's lecture on *Unfair Labor Practice and Concerted Activities* was delivered on June 13, 1964. Mr. Justice Lanting's lecture on *The Right of Representation and Collective Bargaining* was given on June 20, 1964. Mr. Justice Paredes' lecture on *The Problem of Jurisdiction of the Court of Industrial Relations* was delivered on June 27, 1964.

It is satisfying to note that the participants did not come only from the bench and the bar but also from the labor and management sectors. It is also pleasing to note that the participants from the labor and management sectors participated as keenly and with as much interest as the members of the bench and the bar.

There were 144 participants who matriculated although more than this number attended every lecture. The total fees collected amounted to ₱5,040.00. This amount is deposited with the University Cashier under several official university receipts and credited to the CLERP Revolving Fund.

B. Vacation Studies Program

The first Vacation Studies Program was given in Davao City during the month of May, 1964. Two subjects were offered. The short course on the *Revised Rules of Court* was handled by Professor Generoso V. Jacinto. I handled the short course on *Labor Relations Law*. There were 21 participants composed of lawyers and judges who paid a total matriculation fee of ₱1,260.00. It was deposited with the University Cashier on May 28, 1964 under official university receipt number 9889 credited to the Revolving Fund of the CLERP.

IV. U.P. Law Center

With the enactment into law of House Bill 10,001, defining the functions of the U.P. Law Center, the College of Law, under your leadership, is on the threshold of an even greater opportunity for service not only to the bench and the bar but to the nation and the government as well. The U.P. Law Center is an expansion of the present Continuing Legal Education and Research Program. The U.P. Law Center remains a department of the College of Law. The major purpose of the establishment of the U.P. Center is to provide scholarly studies in the fields of law reform, professional competence and responsibility, administration of justice, and the protection of civil rights.

Under Section 4 of the law, the U.P. Law Center is provided with an independent source of fund and additional facilities. The funds will come from additional filing fees from those who avail themselves of the judicial processes.

Professor Perfecto Fernandez, Professor Florida Ruth Romero and I are now working on the organizational set-up of the Law Center, job descriptional and basic ground rules, and the proposed budget together with a statement of justification for an initial outlay from the University for the support of the Law Center until the financial support spelled out in Rep. Act 3870 starts coming in.

V. Revolving Fund
Income

Institute on the Revised Rules of Court	P 8,190.00
Vacation Studies Program	1,260.00
First Annual Institute on Labor Relations Law	5,040.00

TOTAL	P14,490.00
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Disbursement

Honoraria of the lecturers in the First Annual Institute on Labor Relations Law	P 1,000.00
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P13,490.00

VIII RESEARCH

I. *Published Works*

A. Books:

1. Fernandez, Perfecto V., *Labor Standards*, Manila, published by Central Book Supply, Inc., 1964, 800 pp. (Quiason, Camilo: co-author).
2. Guevara, Sulpicio, *Legal Forms Annotated* (Based on the Revised Rules of Court, the New Civil Code, and Other Laws of the Philippines), 7th ed., rev. 1964, Manila, published and distributed by Rex Book Store, 1964, xx, 532 pp.

II. *Articles and Others*

1. Abad Santos, Vicente, "The Legal Aspects of Medical Advertising," 38 *Philippine Law Journal*, 633-640 (December, 1963).
2. ———, "Philippines," *Roundtable on the Teaching of International Law and Relations*, Final Report, Singapore/Malaysia, January 13-16, 1964, 138-143.
3. ———, "The Philippines, Background Paper," Legal Advisers and Foreign Affairs, edited by H.C.L. Merillat, New York, Oceana Pub. 1964, p. OG-97.
4. Ambion, Bienvenido C., "Is Philippine Legislative Action Necessary on Twelve ECAFE—Listed Problems of Commercial Arbitration?" 2 *Philippine International Law Journal*, 410-498 (July-September, 1963); 38 *Philippine Law Journal*, 648-735 (December, 1963).
5. Concepcion, Roberto, "The UNO and World Understanding," Address delivered before the Manila Rotary Club, March 21, 1963, 2 *Philippine International Law Journal*, 349-357 (July-September, 1963).
6. Fernandez, Perfecto V., "The Constitutionality of the Compensation Provisions of the Agricultural Land Reform Code.," 38 *Philippine Law Journal*, 562-589 (October, 1963).
7. Guevara, Sulpicio, "A Second Look at the Agricultural Land Reform Code of 1963," 38 *Philippine Law Journal*, 537-561 (October, 1963).
8. Gatmaitan, Magno S., "Comments on the New Rules of Court," Speech before the Convention of CFI Judges, April 30, 1963, 8 *Lyceum of the Philippine Law Review*, 1-11 (October, 1963).

9. Regala, Roberto, "Expanding Frontiers of the Rule of Law," 29 *Lawyers Journal*, 1-2 (January, 1964).
10. ———, "Law and an Independent Judiciary in a Changing World," Speech delivered before the successful Bar examinees, Feb. 5, 1963, 28 *Lawyers Journal*, 43-44 (February, 1963).
11. ———, "Some Reflections on the Economic and Social Provisions of the Philippine Constitution," 29 *Lawyers Journal*, 38-39 (February, 1964).
12. ———, "World Peace Through Law," Speech over DZUP, Oct. 16, 1962, 5 *University of the East Law Journal*, 222-226 (January, 1963).
13. Rivera, Juan F., "Promotion in the Civil Service," 28 *Lawyers Journal* 100-101 (April, 1963).
14. Ventura, Francisco, "Discurso Apoyo de su Enmienda," 3 *Journal of the Constitutional Convention of the Philippines*, 1115-1116 (October 15, 1963).

IX

PHYSICAL PLANT

During the year under review, two major renovations of the College of Law premises were effected. These are:

First, the establishment of the Roxas Room in honor of the late President Manuel A. Roxas who is without doubt the most distinguished alumnus of the College of Law. The Roxas Room is located on the east wing of the 3rd floor of the building. The renovation work consists of the air conditioning of the room and of its being furnishing with suitable furniture and equipment. For this purpose a total of ₱15,205 was spent. To raise this amount, a fund drive was launched. This drive grossed a total of ₱18,240 from alumni and friends of the late President Roxas. The balance of ₱3,034.70 is presently deposited as a special fund with the University.

This room serves as a faculty room, and is used mainly as the place where faculty meetings and other affairs are held. It is also useful as a place for entertaining guests of the Dean and the College. Upon request, it may be made available to officials of the University and alumni organizations, for meetings, conferences and similar activities.

The room was formally dedicated on April 15, 1964, with the President of the University making the acceptance and dedicatory remarks followed by remarks made by the honoree's son, Senator Gerardo Roxas.

The alumni whose generous donations made the accomplishment of this project possible, are the following:

Eduardo Abaya	Augustin Garcia
Emilio Abello	Jose Go
Paz N. Agcaoili	Buenaventura Guerrero
Artemio Almendral	Luis J. Gonzaga
Carmelino Alvendia	Sulpicio Guevara
Irene de los Angeles	Emilio Hilado
Felix Bautista Angelo	Maria Luisa Hilado
Anonymous	Antonio Ibarra
Joker Arroyo	Generoso V. Jacinto
Cirilo Aspillera, Jr.	Hilarion Jarencio
Alejandro Barin	Josefina D. de Leon
Jesus Barrera	Conrado Limcaoco
Enrique M. Belo	Eugenio Lopez
Cesar Bengzon	Leonides de Leon
Conrado Benitez	Fernando Lopez
Jose A. Bernardo	Pablo Lorenzo, Jr.
Sumilang Bernardo	Primitivo Lovina
Jaime R. Blanco	Catalino T. Macaraig
Purita M. Blanco	Querube Makalintal
Teresita R. Bocobo	Ferdinand E. Marcos
Delfin Buencamino	Mariano P. Marcos
Adelaida Cabe	Leticia A. Molina
Alfonso Calalang	Marcelino Montemayor
Campos, Mendoza & Hernandez	Francisco Ortega
Law Offices	Roman Ozaeta
Rafael Cañiza	Ceferino Padua
M. A. T. Caparas	Ricardo Paras
Class '35	Quintin Paredes
Class '39	Teodorico Patag
Class '63	Pio Pedrosa
Mario Clutario	Nilo B. Peña
Juan Collas	Consuelo S. Perez
Jorge Coquia	Efren Plana
Desiderio Dalisay Investments,	Poblador, Cruz & Nazareno
Inc.	Law Offices
Delgado, Flores, Macapagal &	Ricardo Pronove, Jr.
Ocampo Law Offices	Gil J. Puyat
Jose A. Espiritu	William H. Quasha & Associates
Florentino Flor	Camilo D Quiason
B. S. de la Fuente	Troadio T. Quiason, Jr.
Hector Fule	Emerito Ramos
Emilio Gancayco	Roberto Regala

Deogracias T. Reyes	Lorenzo Sumulong
Minerva G. Reyes	Vidal Tan
Jose B. L. Reyes	Lorenzo Tañada
Carlos P. Romulo	Enrique Tayag
Ernesto Rufino	Abraham Vera
Emerito Salva	Hermínio Verzosa
Frisco San Juan	Cornelio Villareal
San Juan, Africa, Benedicto	Manuel Villareal, Jr.
Law Offices	Felipe Ysmael, Jr.
Vicente Santiago	Jose Yulo
Guillermo Santos	Jose Yulo, Jr.
Ernesto Sibal	Frine Zaballero
Arsenio Solidum	Enrique Zaldivar

Second, the renovation of what used to be exclusively the office of the *Philippine Law Journal*, to house the newly established Continuing Legal Education and Research Center.

This room now provides office space for the *Philippine Law Journal* and the Director of the Continuing Legal Education and Research Center.

The amount spent for this purpose was ₱2,280.06.

I want to express my appreciation to Professor Jose C. Laureta, Secretary of the College for his assistance in the preparation of this report.

Very respectfully,

VICENTE ABAD SANTOS

Dean