



Commencement Address
CONCHITA CARPIO-MORALES
Supreme Court Justice (2002-2011)
Ombudsman (2011-2018)

University of the Philippines (UP) President Danilo Concepcion; UP Diliman Chancellor Fidel Nemenzo; UP Law Dean Fides Cordero-Tan; distinguished members of the law school faculty; members of the graduating class of 2020, and their family members and loved ones; alumni, students, guests, ladies and gentlemen, good afternoon.

I greet you all from a safe distance as we gather virtually in this memorable occasion. Let me express my gratitude for the cordial invitation to address this year's crop of graduates who are receiving their law degrees from the prestigious UP College of Law. Today's momentous event in your academic life pays tribute to your collective achievement as *iskolars* ng bayan. It is also an opportune time to pay homage to your parents and family members who saw you through the formative years of your life, and painstakingly toiled to provide you with this golden opportunity — an opportunity that some of them then may not have been able to afford themselves.

This occasion is also a testament to the dedication of your professors and mentors who have had the privilege — or the misery if you will — of passionately guiding you through the complexities of the law and the intricacies of jurisprudence. The librarians, the College Secretary's staff, the security personnel, the technicians, and the ever dependable photocopying booth attendants made your stay in law school a bit bearable, and allowed you to focus on the more important tasks. To borrow from an African proverb, it takes a village, or in this case, an entire law school, to produce a worthy graduate.

Life in law school has always been about preparation. Each recitation day tests how well one has prepared by reading and comprehending the assigned cases, statutes and annotations. As the ancient Roman poet Horace succinctly put it: "No man ever reached to excellence in any one art or profession without having passed through the slow and painful process of study and preparation." Indeed, the study of law is a slow and painful process. Similar to a kiln, the thrust of a law school is to turn raw individuals into finished masterpieces.

It is a rare privilege to be a graduate of the UP College of Law. Indeed, your educational tutelage at the premier state university's law school is unmatched by any other higher educational institution in this country. Use this credential to your advantage in pursuing the common good. Reserve a soft spot in your heart for the common people — the farmers ensuring our food supply, the fisherfolk guarding our seas and its vast resources - whose roles are particularly essential in this current situation. As Nelson Mandela once said, "a good head and a good heart are always a formidable combination."



Former Yale Law School Dean Harold Hongju Koh stated that “accomplishment alone, without humility, is tragic; excellence alone, without humanity, is worthless.” Indeed, brilliance lacks luster if it is devoid of virtue.

I believe that it is not by mere happenstance that in today’s first-ever *virtual* graduation of the UP College of Law, we choose to focus on certain core *virtues*. After all, the word “virtual” comes from the Medieval Latin word “virtualis” from the root word “virtus” meaning “virtue.” Just as this virtual event bears the physical attributes of a commencement exercise, may you possess the essential attributes of a true UP graduate.

As UP graduates, the virtue of selfless devotion in serving the people comes to fore, as symbolically embodied by the Oblation. With the kind of value system inculcated by the University, I am confident that your alma mater has prepared you well as you virtuously fulfill your mission in the real world. May you respond to the challenge by carrying that perspective of critical and creative thinking. In a vocal and vibrant democratic society such as ours, every governmental action is placed under the magnifying lens of strict scrutiny.

Indeed, these are unprecedented times. This pandemic is a first of its kind in recent times. Given the novelty of the global dilemma, others are positing that we can afford to give our leaders some slack, considering that nobody had heretofore dealt with this gargantuan problem of this magnitude. I must say that it is, however, not an excuse for incompetence. It is not an excuse to run roughshod of the fundamental laws. In fact, it is in dark hours that competent leaders are tested under extreme circumstances.

Abraham Lincoln was attributed this relevant dictum: “Nearly all men can stand *adversity*, but if you want to test a man’s *character*, give him *power*.” Along these lines were the words of American lawyer Robert Green Ingersoll: “Nothing discloses real character like the use of power. It is easy for the weak to be gentle. Most people can bear adversity. But if you wish to know what a man really is, give him power. This is the supreme test.”

The people should watch closely how the power wielders exercise the newly legislated powers on top of the vast array of already existing governmental powers. Public officials thus need to account for the use of the power. The people deserve to check whether these public officials pass or fail this test. If they seriously fail and commit abuse of such power, they should not go unpunished.

After all, governmental power emanates from the people. Those granted the power ought to bring back the power to the people by empowering them. The late Princeton professor Toni Morrison, Nobel laureate in literature, once told her students: “When you get these jobs that you have been so brilliantly trained for, just remember that your real job is that if you are free, you need to free somebody else. If you have some power, then your job is to empower somebody else.”



Furthermore, this global catastrophe highlights the need for governments to rely on hard science in crafting public policy. Governments can no longer ignore science, like what some global leaders have been doing on the issue of climate change. Sooner or later, nature will have its way, whether human beings like it or not. For one, Congress cannot amend or repeal the law of physics or the established precepts on medical microbiology. We need to come to terms with the need to comprehend scientific data and learn from new discoveries or best practices from leading countries in order to come up with data-driven responses. Indeed, law does not exist in a vacuum. The challenge comes in properly situating the role of law in a multi-disciplinary context or system.

In one online forum, I echoed one candid comment which interestingly noted that the pandemic did not break our system, it merely exposed an already broken system. Perhaps, to some extent, the observation may be true. The series of unfortunate events may have led us to realize how poor the delivery of health services is in this country. This goes to show that the health sector has witnessed years of neglect. Aside from yielding to other budgetary priorities, the health sector is one of the victims of the overall corruption problem. Public funds which should have been spent for hospital beds and other medical facilities ended up in the pockets of somebody else, not to mention the narratives of overpriced medicines and equipment. It is about time that this country should invest more in the health and well-being of its citizens. It is about time that this country should aspire to become a medical haven itself, amid the decades-long diaspora of medical professionals abroad.

This is the world that you are about to enter. There are nagging questions waiting for you: How can a UP Law graduate make a difference in this real world? What should he or she seek in the real world in order to contribute in solving the nation's problems through good governance? These nagging questions might occur to you as worn-out essay topics, yet these cliches will preoccupy you as you sashay into your professional life. Let it resonate.

From various schools of thought in running a government, there is a striking statement made by German writer Johann Wolfgang von Goethe when he posited that "the best government is that which teaches us to govern ourselves."

American author Henry David Thoreau pursued this line when he remarked that: "that government is best which governs the least." The message is neither abolitionism nor civil disobedience. The straightforward message that can be gathered is learning how to govern one's self. That, I consider, is a key to your making a difference in the real world: Learning first how to govern yourself well. Otherwise stated, govern yourself first before governing others. Out in the real world, may you truly find yourself.

Not a few narratives, historical or otherwise, on those who have tried to change the government to create the proverbial "better world" contained so little positive information — if at all mentioned — on how they had administered their personal lives and those of their families. It seems that in their yearning for a better world, they had neglected, foregone or missed out managing their own little world. For some quarters, it could be the extreme sacrifice, and we respect that kind of perspective.



Managing one's life first is not self-centeredness. Governing your lives well is being mindful that other people depend on you inasmuch as you depend on them. As then US. President Calvin Coolidge stated, "patriotism is easy to understand. . . It means looking out for yourself by looking out for your country."

In whatever capacity you will discharge your functions, people around you — be they your colleagues or subordinates, be it in your neighborhood or affiliations — find inspiration in your words and deeds. They take time to listen to you because they are convinced that your opinion matters, and importantly, because you listened first. They take your directive earnestly because they are persuaded that it is for the greater good and, more importantly, because you showed them that you yourselves follow the rules. A self-respecting individual respects the rights of others.

As you eventually work and render service, you recognize the rights of others in more concrete ways. Some of you will soon manage institutions and organizations; respect the rights of your employees. A number of you will lead communities; respect the rights of your neighbors. Most of you will raise your own family; respect the rights of your spouse and children. At the end of the day, in rendering service and respecting the rights of others, you recognize your self-worth by being consistent in both advocacy and practice.

Freedom under a full measure of democracy should indeed consider individual rights in real context. American publisher Larry Flynt, on his more serious side, quipped: "The 'majority rule' only works if you're also considering individual rights. Because you can't have five wolves and one sheep voting on what to have for supper."

I thus call upon the UP Law Class of 2020 to patriotically recognize the people's rights, including the right to an ethical and accountable government. Pursue the struggle for good governance in a patriotic manner.

Speaking of patriotism in modern times, former U.S. Vice President Adlai Stevenson opined:

What do we mean by patriotism in the context of our times? I venture to suggest that what we mean is a sense of national responsibility. A patriotism which is not short, frenzied outbursts of emotion, but the tranquil and steady dedication of a lifetime.

Stevenson underscored that patriotism is not characterized by "short, frenzied outbursts of emotion," rather it is the "tranquil and steady dedication of a lifetime." In your professional life, you will notice that shouting placards and screaming banners are elevated to policy papers and action plans; burning effigies and bonfire sparks are transformed into fiery debates and igniting opinions. Where will you situate yourself in the middle of all these clashing sparks? Will you be swayed and devoured by an ailing system?



Further to this “sense of national responsibility,” former U.S. President John F. Kennedy encapsulated patriotism in this wise:

For in a democracy, every citizen, regardless of his interest in politics, ‘holds office’; everyone of us is in a position of responsibility; in the final analysis, the kind of government we get depends upon how we fulfill those responsibilities. We, the people, are the boss, and we will get the kind of political leadership, be it good or bad, that we demand and deserve.

Kennedy’s vivid illustration speaks of citizens as the ones holding the office and similarly fulfilling responsibilities. English-American author Thomas Paine put it this way: “Those who expect to reap the blessings of freedom must undergo the fatigue of supporting it.”

Erstwhile U.S. President Barack Obama contextualized the interplay of rights and responsibilities in the concept of nationhood:

We, the People, recognize that we have responsibilities as well as rights; that our destinies are bound together; that a freedom which only asks what’s in it for me, a freedom without a commitment to others, a freedom without love or charity or duty or patriotism, is unworthy of our [country’s] founding ideals, and those who died in their defense.

The ensuing period of years is the litmus test of how you are going to painstakingly apply the lessons and principles that your alma mater has so passionately instilled in you in the formative years of your professional life. Fail them not. Once graduated from this august institution, do not forget these precepts. Do not let the privilege of professional achievement cloud your better judgment.

May you balance or equate professional achievement with service that is ethical and accountable. That way, you pay tribute to your alma mater that imbibed in you the virtue of love of country. As the nation reels from this pandemic, the people have high expectations of you.

I wish the graduates all the best as you patiently extend the borders of your potentials and bravely create a wave of change not only within the contours of the law profession but also in wider arena of public service.

Once again, congratulations! *Mabuhay at maraming salamat.*