

Lawyers with a Conscience
Keynote Speech
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Good day to you all. It is my honor and pleasure to be able to address this gathering.

Many challenges confront our country today. But just as great in number and complex as the developments around us may be the stirrings in your own hearts.

Maaaring malayo sa isipan ng mga estudyante ng batas tulad ninyo ang inyong mga plano kapag kayo ay naging abogado na. Ang pumupuno ng mga isipan ninyo ay ang magigiging recitation sa klase ninyo sa remedial law o kaya ang paparating na exam ninyo sa constitutional law. Pero hindi kaila na napakahalagang pag-isipan ngayon pa lamang kung anong klaseng abogado ang plano ninyo para sa inyong mga sarili.

When I saw your invitation for me to speak before this gathering, a gathering of future lawyers, a gathering of future administrators of justice, a gathering of future leaders of this country, and read the

topic for which you chose to come together – **becoming lawyers with a conscience** - deep in my heart I know that this country has a lot of hope...still. Because today, I stand before a gathering of people whom I know would work for a just and humane society.

If you think about it, hindi ba dapat naman lahat tayo ay may konsensiya? Why then, do we have to think and agonize about becoming lawyers *with a conscience*?

But when you start pondering over the things that a lawyer is supposed to do, the things you have sworn to do, then it may become a bit of a problem. A lawyer is sworn to defend his client to the best of his ability, to ensure that his rights are respected and upheld, to prove his innocence, to establish reasonable doubt which shall lead to his acquittal and freedom to rejoin and be a productive member of society.

Madali lang yun, hindi ba?

Pero isipin nyo pang muli: Do you see yourself defending, let's say, a group of suspected notorious bank hold-uppers, just so at the minimum, they get a fair trial and that their side and story is amply heard?

My dear friends, that was the situation that stared right at my face when, as a member of Mabini, a group of suspected hold-uppers were killed at the dawn of ____, 19___. The group was known as the *Kuratong Baleleng* gang.

For their notoriety, I knew then that quite a number of people would rather see these perceived criminals dead rather than add to the already crowded space in our prisons. *Dagdag pakainin pa sila sa selda. At sa isip nila, baka makawala pa at maghasik na naman ng lagim – mabuti pang mawala na nga lang sila.*

For those of you who were already old enough to remember Kuratong Baleleng, you probably know that they never lived to tell their side of the story, they never lived to get their fair trial. At the dawn of _____, 19___, they became bloody bodies of what then Police Superintendent Panfilo Lacson called as a shoot-out. But the way the bodies were positioned and the angles where the shots came from, it was more of a rub-out, rather than a shoot out.

Yes, I am one of the lawyers of this group. To this day, I agonize over what could have been the fate of these so-called Kuratong Baleleng gang members had they lived and been given a fair trial. People never even got to find out if they are indeed members of this dreaded gang.

But I think that the fundamental tenet in becoming a lawyer with a conscience is how to really ensure that your client gets a fair trial – for it is embodied not just in the laws of our land, but in the international covenant on human rights.

There could be other cases that may come your way – farmers asking for their right to own the land they have been tilling for decades, workers asking for their just compensation and a share in the profits that a company makes, a battered housewife seeking refuge from an abusive husband, or even a simple denial to access to information of matters of public concern. For these, it might not be too agonizing as the Kuratong Baleleng case, as you can act not just with your mind but also with your heart.

But this early, let me raise this caution - what might fill you up your hearts might not necessarily fill your stomachs. *Pag minsan nga, abonado pa kayo sa mga kasong hawak ninyo. Walang pamasaha, pang-zerox, at kung anu-ano pa ang magsasaka...* Sometimes, I think that to be a lawyer with a conscience, you oftentimes have to be an “*Abonadong Abugado*”.

You can take the initiative in rendering services to the poor. Let the first step be yours. Magbigay nang kusa. Mag-alay nang bukal sa kalooban. Magtaya nang buong puso.

My dear friends,

At this juncture of our nation's history, when there is environmental degradation because of the disregard of environmental laws and rights of our indigenous peoples, when there is bribery here and there just to protect and ensure that those who are in power remain in power, when there are Jonas Burgoses everywhere – victims of involuntary disappearances, student leaders and human rights activists ending up as victims of salvaging, we need lawyers who would stand up and fight for what is right, we need lawyers with a conscience – *mga abonadong abogado*.

Before I end, allow me to tell you that our judicial system might be the only remaining bastion of morality of our nation. When government could not offer any viable explanation for, nor answers to the countless disappearances, our Supreme Court stepped in and stepped up.

Recently, the Highest Court of the Land came out with the new Rule on the *Writ of Amparo* that became effective just this month. It was the Supreme Court's contribution to the campaign to end enforced disappearances. The new Rule was not expected of the Supreme Court which is often thought of as passive and conservative. But where other government agencies seemed to fail, the Supreme Court appeared to fill the void. The idea behind a *Writ of Amparo* is not

new but a borrowed from countries like Mexico, Argentina and India. But the Supreme Court chose to adopt it today and fashion it in such a way as to help address the problem of the enforced disappearance.

Naging parang aktibistang Korte Suprema ang ating pinakamataas na hukuman. Maaring sundan ang halimbawa ng Korte Suprema. Ang mga mahistrado ng Korte Suprema ay nakaupo rin noon sa inyong lugar ngayon.

They used to be students like you. They had dreams just like yours. And they acted on their own dreams, in their own way.

I know that sometime, somewhere, our paths will cross again. And when that time comes, I will gladly all welcome you to the fold – the club which I now call, mga “Abonadong Abogado Club” – Batch 2007.

Again, let me thank you all for the honor and privilege of being with you today. Study hard, become great lawyers, but most importantly, put a lot of heart and passion in defending the poor, the oppressed and in helping build a just and humane society.

Magandang araw sa ating lahat!