CHERRY LIEZ RAFAL-ROBLE
2011 BAR EXAM 3rd PLACER

HAIL TO THE 123 NEW ARELLANO LAWYERS!
THE ESSENTIAL LAW STUDENT

WHAT DEFINES us students of law?

Is it the school that we go to? Is it the books that we read? Is it how well we recite in class? Is it how high our grades are? Or is it how prepared we are to take the Bar Exam?

If this is a multiple-choice type of question, the answer would be none of the above.

While the answers to the questions posited above could be an efficient gauge of what kind of law student we are, they are not sufficient indicators of what is the quintessential.

Lawyer Andre Palacio, our featured professor in this issue, lends support to that conclusion when he said that being in the Top 10 (He was No. 3 in 1990) of the Bar Exam is an achievement that matters only to people who think it is the fool-proof measure of legal knowledge.

One must strive to become a lawyer, therefore, should not be just for personal glory, mere intellectual gain, or simply pride.

What makes us law students relevant is how we use our knowledge to effect positive influence or change in our society. If we believe we know better, then we should try to do more.

Thus, we should not be fearful of how the ongoing impeachment trial of Chief Justice Renato C. Corona would turn out so long as we do something to ensure that the proceedings are done according to the spirit of the Constitution and that the public are rightfully informed about all its intricacies.

Professor Henedino Brondial cannot be any more succinct and wise in his encouragement that we lawyers-to-be – whether for or against the impeachment of the Chief Justice – should play such an active role in this process with the end goal of cleaning the tarnished image of the justice system in our country.

The Gazette offers this issue, which has a special section devoted to the Corona Impeachment Trial (on Pages 23-33), for our reflection. As law students, we should not only concern ourselves about learning the law, but more importantly, we should bear in mind to use it for the good and benefit of all.

For this is what truly defines us.

The Gazette proudly congratulates our very own Cherry Lea O. Rafael-Roble for emerging No. 3 in the 2011 Bar Examinations. She shares some of her thoughts before, during, and after the Bar Examination in our stories on Pages 4 and 5 of this issue.

Rafael-Roble duplicated the school’s achievement in the previous year when Atty. Paolo Carlo Tolentino also placed third and Atty. Darren Salispip took 10th place.

The successful feats prompted Supreme Court Associate Justice (Ret.) and AUSL Professor Antonio Eduardo B. Nachura to say: “Since this is becoming a habit, we might as well get the Nos. 1, 2, and 3 spots next year.”

Who knows? Let’s keep our fingers crossed.

ATTY. HENEDINO BRONDIAL

EVERY LAWYER’S TRIAL

T he highest official in the judicial hierarchy is on trial. With all its illegality, does Juan de la Cruz really understand the proceedings? Even when media have devoted so much space and spite on this event of unprecedented national significance, its adherents are still minuscule. To lawyers and lawyers-to-be, however, this impeachment trial is a rare opportunity to examine and re-examine their directions, professionally and vocationally.

The lawyer should not be a passive spectator in this unfolding legal drama. Whether for or against, hesitance is expected to take sides. When he does, sentiments of a confused public will somehow be assuaged; doubts cleared; minds enlightened. But in exposing one’s position, the lawyer must always act with honesty, sincerity, and integrity. The end-goal is to purify and strengthen that battered organization of which he or she is not merely associated with, but is a member thereof or intends to be.

It is therefore a clarion call for every officer of the court, present and in-the-making, to play a part not in the prosecution or defense of an individual person but in the purgation of a tarnished institution, so that it may be born again into its destined place of dignity and nobility. The academe, the seat of legal minds, must be in the forefront of this struggle. After all, the lawyer in every man is on trial.
I was pregnant when the review started last year,” she added. The 2011 Bar Exam is a historic first as it was composed of 60% multiple-choice questions (MCQs) and 40% legal opinion and trial memorandum writing. Supreme Court Justice Roberto A. Abad introduced the innovation as the Bar Exam Chairperson “to exert pressure on law schools to re-examine the substance and shape of legal education.” Abad revealed that of the total 5,990 examinees, 34% passed in the MCQs, 50% in legal opinion writing, and only 15% in trial memorandum writing. The overall passing percentage of 33.56% is the second highest to be registered in the millennium.

Chief Justice Renato C. Corona said, in his speech before the release of the results, that the Supreme Court shall continue to refine the Bar Exam and introduce innovations. Corona said the intention is not to fail the candidates but rather to determine if they possess the minimum standard required to become a lawyer. He was quick to note that “success as a lawyer is not dependent on the Bar Exam.”

AUSL 123 CHIEFS among new lawyers

2011 TOP 10 BAR EXAMINEES

Who first broke to you the news of your being No. 3 in the Bar Exam? “Dean Ace Pamaran (the valedictorian of their batch) and Atty. Crisostomo Uribe.”

What were your expectations before the release of the results? “I was trying to concentrate on other things. As I said, I have often dreamed about failing, but when I’m awake, I never thought about the exams. That was weird.”

How did you prepare for the bar exam? “There’s no formula. One is, I concentrated on my weak points. Then I listened to the reviewers. I was fortunate to have good professors in my foundation years too. The Opinion Writing was like a mere quiz given by Atty. Legaspi, so I was fortunate to have him.”

Who was your inspiration when you took the exam? “A lot of people. My Dad, my Mom, sisters, brother, my Lola Francis who I fondly call Judge Francisco who taught me the beauty of law, and the family living beside AUSL, who stays in the kariton. I once told my Mom that if I top the bar, I would help them provide a better future for their kids.”

“I always told the reviewers that the only advantage is it is easier to correct the errors,” said Rafael-Roble, who was working in his office (SGV & Co.) when she learned the news of her being among the topnotchers.

“I would top the bar because she joked that I have the advantage of having two brains as I was pregnant when the review started last year,” she added. The 2011 Bar Exam is a historic first as it was composed of 60% multiple-choice questions (MCQs) and 40% legal opinion and trial memorandum writing. Supreme Court Justice Roberto A. Abad introduced the innovation as the Bar Exam Chairperson “to exert pressure on law schools to re-examine the substance and shape of legal education.” Abad revealed that of the total 5,990 examinees, 34% passed in the MCQs, 50% in legal opinion writing, and only 15% in trial memorandum writing. The overall passing percentage of 33.56% is the second highest to be registered in the millennium.

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“I still believe that MCQs are not the accurate gauge of knowledge and understanding of the laws,” Dean Sundiang emphasized.

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SSC GEARS UP ACTIVITIES FOR STUDENTS, COMMUNITIES

BY FRANCIS R. SALVADOR

The AUSL Supreme Student Council (SSC) ushered in 2012 with a series of projects and activities for the welfare not only of the students and the Arellano Law Community but also the marginalized sectors of society.

Led by its officers Alma Fides Oliver-Espinosa (President), Mark Durante (EVP), Jane Guiriba (Secretary), and Alex Santos (Treasurer), the SSC participated in a medical mission at the Angelicum College Gymnasium on February 11 that benefited around 1,000 residents of barangays near Sto. Domingo Church in Quezon City.

Pre-screened patients availed of general medical, surgical, ophthalmology, dental, ob-gyn and pediatric services during the mission organized by the Dominicans.

“Aside from personally providing assistance onsite, we were also able to donate medications that were solicited from kind-hearted and generous donors,” said Espinosa, who is also Vice President of Zonta Club of Greater Rizal.

The donors include Raymond Bautista, Khaye Quiraz and Karen Go of Schiele Laboratories Philippines, Inc., Mr. Ollie Marcelo of Ample Printing, Herman V. Sumadchat (President, Rotary Club of Baliwag) and Elvira I. Gouzum-Sumadchat.

The Council will also be staging Run on March 26 for the benefit of communities and families in Mindanao who were affected by last year’s typhoon Sendong. Around 800 to 1,000 participants are expected to join the event, which will be held in Pasay City.

“Part of the proceeds will be used to support plans for the renovation, elevation, and lighting of the pathway to the various offices in the ground floor of Hebron Hall,” Espinosa said. These offices include the SSC, Arellano Law Gazette, Legal Aid, and University Clinic.

Meanwhile, the Council provided a television monitor at the lobby beside the Review Room for the live viewing of the Impeachment Trial of Chief Justice Renato Corona. It also posted smoking and non-smoking signs in particular areas inside the school premises for the guidance of everyone.

Espinosa revealed plans of the Council to build a wall-mounted glass plate showing the members of the AUSL faculty and lecturers in the bar reviewer program. She said that this would provide information for visitors and potential enrollees who are interested in knowing the school’s pool of professors and reviewers.

ESSAY QUESTIONS MAY RETURN IN 2012 BAR EXAM

BY JOHN PAUL GALANG

Justice Martin S. Villarama, Jr., the Chairperson of the 2012 Bar Examination, is considering bringing back the traditional essay questions in the annual qualifying test.

Bar Candidate Ma. Cristina B. Layusa, in a letter sent to the Deans of law schools around the country, said that the Office of the Bar Chairman is studying the possibility of making this year’s Bar Exam comprise 50% multiple-choice questions (MCQs) and 50% essay questions and reverting to the old schedule of two examinations per Sunday. Layusa asked the Deans to submit their comments and suggestions to the Chairman.

In a meeting with graduating students, Dean Jose R. Sundiang, Sr. confirmed receiving such letter and announced that there are also plans to move the exam dates to October and to retain the venue at the University of Santo Tomas.

Justice Roberto A. Abad, the previous year’s chairman, implemented 60% MCQs and 40% memorandum and legal opinion writing in the Bar Exam that drew mixed reactions from students and professors.

WINNERS

TABLE TENNIS
ANGELICO ZENON DE LOS REYES
MA. ARNEE LOPEZ (Women)

BADMINTON
ARVIN FRANCIS ROSALES (Men)
BENETTE DE LEON (Women)

FUTSAL
TEAM B – YELLOW,
TEAM C – GREEN,
Runner-up

VOLLEYBALL
FRESHMEN,
Champions,
Runners-up

BASKETBALL
ALUMNI/PROFESSORS,
Champions,
Seniors,
Runners-up

CHIEFS COMPETE IN FRIENDLY GAMES

BY JOHN PAUL GALANG

Law students proved they still got game as they vied in various sports events in the 2011-2012 Arellano University School of Law (AUSL) Intramurals from February 6 to 24.

Organized by the Arellano Athletics Society (AAS), the intrams featured inter-level competitions in basketball, volleyball, table tennis, badminton, and futsal or indoor soccer game. AUSL professors and alumni were grouped together to form one team. “Our purpose is to unite the students, professors, alumni, and the rest of the AUSL Law community through these friendly matches,” said Celso Rosero III, President of AAS.

Individual and group champions received trophies donated by lawyer Eddic “Gery” Lagman, Jr. incumbent councilor of Quezon City and an AUSL Alumnus.

AY 2012-2013 COUNCIL OFFICERS ELECTED

BY JOHN PAUL GALANG

The Supreme Student Council officers for the academic year 2012-2013 have been elected. Carlo Tagayuna (4th year) was voted President, while Fladrian Canlas (4th year) and Valerie Rose Penalta (4th year) were chosen as Internal and External Vice Presidents, respectively, in the comptetitive elections held March 2 and 3.

Rosalie Montilla (1st year), Secretary, Michelle Chaguille, Treasurer (4th year); and Marie Rose Carlos (2nd year), Auditor completed the new set of Council officers.

All proclaimed winners ran unopposed except Montilla who edged rival Margarrete Lalac by mere 12 votes, 151-139. Carlos, meanwhile, was a re-electionist. (See photos of the new SSC Officers on Page 22.)

President-elect Tagayuna said he intends to develop an action program on consultations with the students. “I wish to open the communication lines between students and the administration further in order to ensure the success of our collective endeavors,” he added.
These Chiefs Have Got the Kicks

Philippine football is akin to an enchanting music of the past left unnoticed in a dark and dusty chest. It is a sound so familiar to the ears with a beat comparable with the rhythmic jive of the heart. Long ago, Filipinos sing the soulful notes of the sport better than other Asian countries. As a result, the Asian football associations considered the sport as something better than other Asian countries. As a result, the Asian football association held in 1900 is only seven years older than the first football association in the Philippines. Football is in the blood and consciousness of Filipinos. Although the presence of the sport in the country has aged more than the beloved and well-traversed Heilbronn Hall, it has remained unmarked by almost everyone’s attention. For many victorious years, basketball has remained as one of the most popular indulgences in the Philippines and it is undeniable that the AUSL community is a part of that big basketball nation. But love gives life even in dry deserts. Behind and among the gods, who control the game with their hands are shadows whose tricks lie with their feet. A number of them are the unassuming athletes that complete the Arellano FC.

The Gazette found it worth the efforts to deface the hazy darkness of these shadows who take pride in taking matters with every part of their bodies, except their hands. An interview with current team captain Ryan Eclipse Balais and former team captain Frederick Tolentino proved very instrumental in completing the task.

When was the team organized? FREDD: The team has been there for a long time. As far as I can remember, it already existed even when Atty. Bern Guerrero, our current coach, was still a student. It was formerly called Arellano Football Team and it was only during the school year 2006-2007 that it was named Arellano FC.

Who composes the team and who can be a part of it? FREDD: AUSL students and alumni make up the team. Once a member, he is always a member, that is why when we compete in outside tournaments, we always find time to contact the alumni and let them play for the team if they want to. Any student who is willing to make football his life will have the chance to become a member of the team.

What tournaments do you usually participate in? FREDD: The team regularly prepares for the annual Conflicts of Law Tournament. RYAN: I think the most prestigious tournament we have competed in so far is the Laurel Cup sponsored by Lyceum University because it was an open tournament that allowed us to play with fellow football enthusiasts from all over the country.

What are the difficulties the team typically encounters? FREDD: Schedule of players and keeping a complete roster during practice is a problem. We overcome it by setting specific practice dates that are convenient for everyone.

What was the team’s biggest success and upset so far? RYAN: Since I joined the team, I think the biggest success was when we reached the quarter finals in the last Conflicts tournament. That was also the most disappointing tournament because we lost against FEU.

FRED: In 2006, the team finished as 3rd runner up in the Conflicts tournament.

Have there been any improvements in the team recently? RYAN: I believe we now have a more balanced team. We have been playing together for a while so our team chemistry is improving, although that has to be translated into good teamwork on the playing field. If we do that, we can execute plays better and we will have a better chance of surpassing our last performance.

FRED: The attendance of the players is a big improvement. We used to join tournaments with only exact number of players needed. Minsan wala talagang substitutes. Also, the recruitment has improved since it is more personalized. Unlike before na ipapangkili ng yung form and maga-sign kung sino ang may gusto, ngayon, we recruit students na naglaro talaga even before they entered law school, and friends na gusto talaga matuto mag-football.

What binds Arellano FC? RYAN: Primarily, the passion to play football and of course, the friendship among the team members. Bonus na lang din talaga that we get to enjoy when we play in outside tournaments while we also hone our skills. Sa paglaro din kasi, we get to realize the things we have to improve on.

FRED: Masaya sa team. We are known as the happiest team sa Conflicts. Hindi kami nanubso ng panlo dahil para tuwanin. We are happy to get to play the game and we play hard for a common goal – and that is to win.

The sudden re-emergence of football in the Philippines is a huge disappointment to those who were naive of its existence. It served as a caravan, a circus, and so much more it should not be. Conversely, it invigorated football enthusiasts and players alike; as the sport is again given recognition it is due. The Arellano FC breathes its life from the passion, commitment and dedication of its members for the sport. With it comes the bond of friendship that transcends the gates of the university. True, shadows do not appear under the glaring sun but we can see the bright light of the limelight; yet it does not make them any less of the fine athletes that they are.

With contribution from Markus.
WHAT’S ONE place a law student will have to pass through one way or another?
No, it is not the kitschy coffee shops where you can smoke and slug coffee for hours on end trying to make headway with the intricacies of Civil Procedure or the tangled web that is Wills and Succession
No, it is not the choice spots in school where the wi-fi signal is at its strongest and the friends you hang out with the rowdiest.
Yes, you probably now realize – It is the library.

In case you forgot, the library is where you go to read in peaceful quiet, do some research, borrow books you may not be able to afford on a strict student’s budget, work on a group project with your blockmates, or simply, doze off on the inviting couches spread around the lobby-like entryway.

This is where you first meet the daunting Supreme Court Reports Annotated or SCRA. It is where you try to stifle your yawns after eating a particularly hearty lunch; to while away the minutes waiting for your class to start. the library is, for all intents and purposes, the designated common room for law school habitués—may it be professors who are catching up on new cases or suggesting books that the library may want to acquire, or students who come to study or—for the ones really “searching”—exchange meaningful glances.

Which is why as a student, it may be a good idea to try and get reacquainted with the library if you are serious about topping your quizzes and exams.

If you are a frequenter, you may have noticed that the aUsL law library is wearing a new look. It has been repainted and its couches reupholstered. It is important that the place where you study is well-lighted and spacious, not cluttered and gloomy. It also helps that there are sufficient (not to mention, working) air-conditioning units and that students are observing library protocols. the school administration believes that having the right environment contributes to the students’ ability to absorb information, thus the renovation efforts.

Apropos to that, it might also be a good idea to get to know the people who keep those book shelves filled, up-to-date, and orderly—the library personnel. Since four years (or five years for the executive program or even longer for some) is decidedly a long time to be frequenting the same place, it would be reasonable to expect that you would eventually get to be familiar with the library staff. It might pay to get to know them a little bit better.

KING OF THE “LAIR”
Ramon Veranga is the little known aUsL Chief Librarian. He may not be that “visible” as he prefers to work silently inside his office, but mind you, Veranga has 37 years of experience behind him working for Arelano. He became the school’s Chief Librarian in 2000 and has held that position up to the present. He received his degree in Library Science from Arelano University in Legarda in 1975.

“I opted to be a librarian rather than a teacher because of the less demanding nature of the work,” said Veranga, who enjoys playing chess and doing house cleaning in his spare time. “But I still get the same fulfillment being able to serve students.”

While he maintains that he loves his job in the College of Law, he said that it is more challenging to deal with law students than college or high school students. For one, the students are older (though not necessarily wiser). Since most of them are already professionals, he admits he cannot just shush anyone because that person could be a department head in a government agency or an officer in the PNP or the Armed Forces of the Philippines. He has to use diplomacy and a certain degree of tact befitting a peer instead of sternness that he usually would employ to younger students.

Veranga likewise confesses walking on eggshells around barristers, who, in his opinion...
BEST STUDY NOOKS ROUND THE HOOD

NEED TO CAMP OUT FOR ALL-DAY, ALL-NIGHT READINGS? NEVER GO TOO FAR AS JANE GUIRIBA SHOWS YOU JUST THE RIGHT PLACES FOR A DATE WITH YOUR TEXTBOOK AND COBAL!

1. Bottomless Coffee
   - Atrium Lounge, Century Park Hotel
   - Time to Study: 11:00 am to 1:00 am daily
   - Perks: Free wifi internet access, cozy ambiance, abundant parking space
   - Drawbacks: More expensive than usual coffee, parking is not free
   - Comments: This coffee shop is a great place for those who want to study alone or in small groups. There are only around 12 to 15 seats, so if you come in big groups, make sure you go there early.

2. Cozy Outdoor
   - Starbucks Coffee (Harbour Square)
   - Time to Study: 6:30 am - 12:30 am; M, T, Th, F, Sa: 6:30 am - 9:45 pm
   - Perks: Delicious coffee, with parking slots, a wonderful view of Manila Bay
   - Drawbacks: Per hour parking fee in excess of 3 hours, the bay water stinks at times
   - Comments: If environment is such a big factor for you when you study, this Starbucks store will make your fancy. Boasting a great outdoor view as it is beside the Manila Bay harbor, the place is where you can enjoy coffee while studying as early as 6:30 am.

3. Homey
   - Garden Brew Cafe
   - Time to Study: Monday to Saturday, 9:00 am to 1:00 am; Closed on Sundays
   - Perks: Delicious, affordable, and wide variety of food for snacks or heavy meal, coffee and fruit juice variants available, having ambience with different kind of seats to choose from
   - Drawbacks: The place may sometimes be closed for exclusive parties
   - Comments: The food and ambiance will always make you want to come back to Garden Brew. Be there in the morning or afternoon or even in the evening on a normal weekday when it is relatively quiet and you will have a great place to study. You can even invite your group of friends at the place is quite spacious.

4. Walkable Distance
   - Coffee Prince
   - Time to Study: Monday to Thursday, 6:00 am to 12:00 pm; Friday to Sunday, 6:00 am to 1:00 am
   - Perks: Free Wi-Fi internet access, ample seats and space, delivery services, electric outlet for devices
   - Drawbacks: Limited parking, low lighting condition might affect reading
   - Comments: Coffee Prince is a coffee house popularized by a Koreanovela of the same title. But this Philippine version is not as franchised as it is not as famous as the original one in Korea, but the taste and ambiance are still good. It is usually crowded during weeknights and weekends, so make sure to reserve a seat in advance.

5. Within Walking Distance
   - Atrium lounge
   - Time to Study: 11:00 am to 1:00 am daily
   - Perks: Free wifi internet access, cozy ambiance, abundant parking space
   - Drawbacks: More expensive than usual coffee, parking is not free
   - Comments: This coffee shop is a great place to go. Musicians perform there from 6:00 pm to 9:45 pm.

Coffee Shop
- Location: 599 P. Ocampo St., Pasay City
- Contact Number: (63 2) 528-8888
- Drawbacks: Limited seats
- Comments: This coffee shop is a great place for those who want to study alone or in small groups. There are only around 12 to 15 seats, so if you come in big groups, make sure you go there early.
Passing the bar is more than a feather in one’s mortarboard—it is a testament to perseverance, ambition, and four years of no Fast.

This is why for law students, lawyers are extraordinary. Generalists in the past, these heroes have evolved and transformed. When all else fails, a defense attorney, she later became an associate prosecutor. She would later be hired by the law firm Goodman, Lieber, Kurtzberg, & Holtzclaw, which specialized in representing superheroes.

Two-Face
Two-Face started out as Harvey Dent, the District Attorney for Gotham. Dent, bat acid thrown at his face reduced him to a manic with a split personality. His criminal acts would norm an eye into motifs of dull, but at times would it would law motifs. In Dark Victory, Two-Face prosecutes Raskin with the jury corrupt of the man’s rogues galery. Interestingly, usual iterations of his char actor depicted him as having succumbed to the evils of vengeance, as in Jeph Loeb and Tim Sale’s The Long Halloween and in Christopher Nolan’s The Dark Knight Rises.

Gotham would later produce two more superhero lawyers, but this time in the side of good. In the main dc universe, Kate Spence, the newest Manhunter iteration, is a prosecutor who later becomes Gotham’s District Attorney. In Earth-X, Richard Grayson, the first Robin, becomes a member of the bar, and welcomes student of this mentor is Selina Kyle, alias Catwoman, Helena Wayne, alias Huntress, as a partner into his own law firm.

Shadowhawk
Shadowhawk, the alter ego of Paul Johnstone, was introduced in the 1990s. A suc cessful African American lawyer, he had his life set for him till he was assassinated when he was fired with a mob hit. He needed a solution with an injection of HIV-infected blood into his system. This ignited a downward spiral of depression for the District Attorney, who was subsequently fired from his job when his condition became known to the public. After being sent to the hospital after yet another altercation with gang members, he became determined to fight crime for his friend Chris friend.

Daredevil
Arguably the most popular superhero lawyer is Matt Murdock, otherwise known as Daredevil. He was introduced by Stan Lee and Bill Everett in 1964. Daredevil is also the first superhero lawyer with a disability. While glowing blind man from an oncoming truck, Matt Murdock was struck by a falling radioactive isotope across the face, blinding him. With the blindness came the augmentation of his other senses. He would later graduate with his sidekick Franklin Nelson from Columbia Law School. But the story of Daredevil, The Man Without Fear, would kick off in high gear in yet another tragedy, when mobsters killed his father.

Daredevil was seemingly doomed to a life of misfortune in a gauntlet of tragedy after another. His girlfriend Karen Page left him after he revealed his secret identity to her. When she returned, she had become a porn actress addicted to heroin. She later sells his secret identity for drug money to Daredevil’s nemesis The Kingpin, who systematically destroys Daredevil’s life, his band, his career. She also turns his dreams into a living hell. His criminal whose guilt has been deter mined by the layperson, but which has not been established beyond reasonable doubt in the court system, the flaws of which let criminals off the hook. This is why for us lawyers, vigilantism is irreconcilable with the concept of the legal profession. Some legal philosophers posit that the punishment of criminals should be based on the nature of the crime.

Certainly, vigilantism is irreversible with a respect for the law. It is a visceral form of Stinky’s reasoning “if you prick us, do we not bleed?” but with the addendum of “and if you wrong us, shall we not put on capes and punch you in the face?” In a way, lawyers go ing vigilante is some form of fighting fire with fire, a fantasy upon a fantasy that it has be come a fetch and a mone. The concept sells because it seems that for the masses, justice is not revenge enough. It states the darker aspects of humanity that we always want more.

But if anything, superhero lawyers are an indication of the masses’ admission that the legal system is the high-road, and vigilant ism is the entertaining, albeit the road that should not been taken. With the augmentation that heroism is just one of the char acteristics that define a member of the bar, lawyers have been more vascular than ever.


Rediscovers... continued from Page 11

years of institutionalizing the College of Law, has been able to conclude as having a tenden cy towards volatility. This he discovered during study hours, more particularly during the few days before the Bar Ex ams. “The slightest noise could set them off,” he shares.

WHAT’S IN A LAW LIBRARY
The AUSL library consists of the ever present SCRA, legal journals from different publishers, the more popular volumes on the important areas of studies, Newsweek and The Times, as well as national broadsheets. Like the Philippine Star and The Philippine Daily In quirer. There is also the lugubri ous Black’s Law Dictionary strate gically placed near the main door for quick and easy legal reference.

“We have new acquisitions of books. Published as late as 2011,” relates Mr. Veran ga, the library’s research coordinator. “But the books need, turn it with just the click of the mouse. All automated for impatient geeks out there. The library hopes for any developments in the years to come as the need grows and changes. Meanwhile, should maximize what it of fers and enjoy its confines like their little study corners at home but with much more. For the user, the library hopes for any developments in the years to come as the need grows and changes. Meanwhile, should maximize what it of fers and enjoy its confines like their little study corners at home but with much more. For the user, the library hopes for any developments in the years to come as the need grows and changes.


Veranga says he is always ready to of fer help to students and to listen to them if they have any complaints. He also instructs his staff to be polite and accommodating as law students may be the first time to meet someone because of their unitr work, juggling work, school, and family.

“The library is for the students. We try our best to cater to them,” he explains.

Indeed, Veranga said that library serv ices which had been gone below 87 % in the evaluation surveys, which he discovered during study hours, more particularly during the few days before the Bar Exams. “The slightest noise could set them off,” he shares.
A feature article about the book "The Power" by Rhonda Byrne. The article discusses the power of attraction and how it can be used to attract success, happiness, and good fortune.

The article also includes a book review of "The Power" and a personal anecdote about a lawyer who shares his knowledge and passion for Public International Law.

The Gazetted Reader: A lawyer who shares his knowledge and passion for Public International Law.

The article ends with a quote from the movie "Forrest Gump" that says, "Life is what happens when you're busy making other plans."
Accidentally in Law

Although he enjoyed teaching high school economics, Raj craved for more challenge and decided to pursue further studies in law. He was torn between taking up Law and Master in Business Administration (MBA). After making a cost-benefit analysis of the two, he chose what he thought was the more challenging course.

“The need for challenge pushed me to take up law,” Raj said partly in jest as he knew that being in law school would be a completely new experience for him. Admitting that was not the epitome of academic excellence during college, did not have the best study habits, and was always nervous when called for recitation, he vowed to do things the right way when in law school. And he did throughout his stint at the UP College of Law, recalling that “it felt good to study, and he did throughout his stint at the UP College of Law, recalling that “it felt good to study, and he did throughout his stint at the UP College of Law.”

Raj craved for more education. He was torn between taking up law and Master in Business Administration (MBA). After making a cost-benefit analysis of the two, he chose what he thought was the more challenging course. (Image 26x118 to 396x356)

**Know What It Is That You Want.**

“Think about what you want to do really. Do it with a purpose. Do it deliberately, if you want to do Law, then study. Otherwise, you’re wasting your time and money.”

**Know Your Priorities and Take Control of Your Life.**

“Take control of your lives. Fix your schedules and clarify what’s important to you. If work is important and law school is supplementary, to be it, then expect high grades in law school, but if you think this is an investment for the future and your work now is really a way for you to get to your Law degree, then arrange it that way. If, you know what your priorities are, you can choose the activities you do, because you know how to spend your time. Then the results would be better.”

**Learn on Your Own. Learn Despite the Teacher.**

“I think the most important way to motivate is to make the student realize that it is within their power to pass the bar and do well in the practice. Teaching, teaching, I will try to help you but the learning is yours. Learning is an internal process. Sometimes, you learn despite the teacher. You learn on your own. The impediment is learning to be yourself. The sooner you realize it, the better for you.”

**Diagnose What You Need to Work on.**

“Tackle your weak points. diagnose it carefully. Removing the problem is half the solution.”

Need to read all of those pages.

He shared techniques he adopted since his first year in law school which stuck about 1000 codal provisions (to memorize). Over four years, you will be able to memorize them. Then read the Supreme Court decisions in the original.” When you do these, he said, the reviewer later would really be just a review.

Civil Law and PIL are his favorite law subjects. He sings out Taxation as the most difficult, and he thought that he would fail in this subject in the Bar Exam. He surprisingly got a grade of 93%, thanks to a CPA board exam reviewer. “It was a reviewer by Prof. Virgilio Reyes. He explained the concepts very well and gave clear examples of how they were applied. I hoped someday to shake his hand and personally thank him.”

Hurdling the Bar

Raj was a Court Attorney of Supreme Court Justice Santiago Kapunan at the time of release of the 1998 Bar Exam results. He still went to work even though he knew that the results would be announced that day in April 1999. He stepped out of their office to wait for the release and returned only after he got a call from an office colleague. Reaching the Supreme Court, he bumped into the previous year’s taga-exam who then blurted out to him, “Congratulations. You are number five.”

He was humbly enough to say that while it is an achievement to be in the Top 10 of the Bar Exam, it is neither a good indicator of legal skills nor an assurance of success in the legal profession. “Knowing matters only to people who think it is the foolproof gauge of legal knowledge,” he said nonchalantly.

While he readily admitted that the most important factor in the Bar Exam is one’s preparation, he also cited how chance might affect one’s performance in the exam: physical condition, mental and emotional state, and a little smile from Lady Luck. He said luck is indeed a factor as it could happen that the examiner, by sheer coincidence, was able to study the material that was required to correctly answer the exam questions. Lastly, it is very important to use the correct terms. “I keep telling my students an examinee needs to know the ‘magic words of the law’, so he can show to the examiner that he knows what he is talking about.”

**PIL Devotion**

Raj taught Agency and Partnership Law and Administrative Law in another law school, but it was only in AUSL, where he was given the opportunity to teach the subject he loves.

“I am thankful to Dr. Florentino Cayco III for giving me the chance to teach PIL because that’s the subject that I love most. My objective is to share my passion for PIL and to make students realize that it is relevant not only for passing the bar but also for practicing before Philippines courts.”

He got interested in PIL when he participated in the Jessup Moot Court Competition during his senior year in law school. Since then, he has been so enamored with PIL that he not only studied it during his Bar review but he also studied it while he was legal assistant to the Philippine Permanent Representative to the World Trade Organization in Geneva, Switzerland.

“PIL is my biggest love, next to my wife, of course,” he said with a smile. He aspires to write a text book to help demystify PIL and make law students realize its importance in Philippine law practice.

**Vast Experience**

After working in the Supreme Court, Raj joined the litigation department of Carpio Villaraza & Cruz Law Office (now known as Villaraza Cruz Marcelo & Angangco). Not many are aware that he was a Private Prosecutor during the Senate impeachment trial of former President Joseph Estrada. From 2001 to 2004, he served in the Office of the Chief Presidential Legal Counsel in Malacanang where he was Assistant Secretary. His other Self

He admits that he is not, though, not only revolves around legal stuff. From freshman year untill junior year, he was the team captain of the UP Law Football Team. He has been running for over 20 years now, and he finished his full marathon in 2010. Whenever possible, he jogs twice a week to keep fit. He loves to travel. During his five-week Easter break while doing his Lon- don, he visited 21 cities in Europe and North Africa: Seville, Granada, Cordoba, Malaga, Madrid and Barcelona in Spain, Marrakesh in Morocco, The Hague in the Netherlands, Rome, Paris, Venice, Marseilles, Aix-en-Provence, Cannes, and Nice in France. His favorite is Andalucia, the region of Southern Spain. For every city that he visits, he sends himself a postcard where he writes the details of the places he visited, the food he ate, and his overall experience of the place. Raj’s love affair with his wife, who is an academic like Raj’s mom, began when they met in Manila while she was home for a Christmas break from her postgraduate studies in the UK. Their romance blossomed in Europe when she returned to UK and he went to Geneva to work for the Philippine WTO Mission.

**A Perfect Team**

For someone who did not see himself joining the legal profession, Raj seems perfectly fit to become a lawyer and defend cases. His great potential to succeed in the field. And with all his achievements so far, it is surprising that he remains grounded and well-grounded and motivated to improve not only himself but also his students. And one can pick from his “box of chocolates” and be inspired to turn their life around for the better. **THE RANKING MATTERS ONLY TO PEOPLE WHO THINK IT IS THE FOOLPROOF GAUGE OF LEGAL KNOWLEDGE.”**

**“THE RANKING MATTERS ONLY TO PEOPLE WHO THINK IT IS THE FOOLPROOF GAUGE OF LEGAL KNOWLEDGE.”**
CHERRY LIEZ RAFAL-ROBLE
3rd Placer

HAIL THE 123
NEW LAWYERS!

CONGRATULATIONS!

2011 BAR EXAM PASSERS

PHOTOS COURTESY OF
ITC DEPARTMENT
**HEAR YE! HEAR YE!**

**ANNOUNCEMENTS**

**CARLO TAGAYUNA**
FOURTH YEAR
PRESIDENT

**VALERIE ROSE PERALTA**
FOURTH YEAR
VP FOR EXTERNAL AFFAIRS

**FILABRIAN CANLAS**
FOURTH YEAR
VP FOR INTERNAL AFFAIRS

**ROSALE MONTILLA**
FIRST YEAR
SECRETARY

**MICHELLE CHAUGUELE**
FOURTH YEAR
TREASURER

**MARIE ROSE CARLOS**
SECOND YEAR
AUDITOR

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**BE PART OF OUR NEXT ISSUE. HOW? READ BELOW.**

**LAW PROFS’ QUOTABLE QUOTES**

Don’t we just love it when Professors do their monologues in class, especially when they miss him or wit and humor? Have you by any chance taken note of those not-to-be-missed quotes from them? Send them to us and we’ll share them next issue.

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**ATTY. REYNALDO LOPEZ, GAWAD SANTO TOMAS FINALIST**

The Gazette congratulates its adviser Atty. Reynaldo “Bong” G. Lopez for being one of two finalists in the Gawad Santo Tomas of the University of Santo Tomas as Most Outstanding Associate Professor. Lopez teaches Philippine Constitution and other Political Science subjects in UST.

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** Mayıs**

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**At Your Best Photo**

We are sure you get your hands busy sometimes with your cellphone cameras for a brief moment of vanity while taking a break from studying. You do this either to keep you sane or that you need a new Facebook profile picture; or perhaps to show to your parents how serious you are in studying law. Whatever the reason, we want a copy of a photo of you studying – be it in your room, in the library, in your car, or in a nearby café you use as your dorm extension. The best photos will be featured next issue.

e-mail submissions to auslgazette@gmail.com.

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**THE NEW SSC OFFICERS**

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**ARTICLES OF IMPEACHMENT**

**I.**

RESPONDENT BETRAYED THE PUBLIC TRUST THROUGH HIS TRACK RECORD MARKED BY PARIALITY AND SUBSERVIENT IN CASES INVOLVING THE ARROYO ADMINISTRATION FROM THE TIME OF HIS APPOINTMENT AS SUPREME COURT JUSTICE AND UNTIL HIS DERRIUS APPOINTMENT AS A MIDNIGHT CHIEF JUSTICE TO THE PRESENT.

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**II.**

RESPONDENT COMMITTED CULPABLE VIOLATION OF THE CONSTITUTION AND/OR BETRAYED THE PUBLIC TRUST WHEN HE FAILED TO DISCLOSE TO THE SUPREME COURT OR ANY COURT OF RECORDS HIS STATE OF ASSETS, LIABILITIES, AND NET WORTH AS REQUIRED UNDER SEC. 17, ART. XI OF THE 1987 CONSTITUTION.

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**IV.**

RESPONDENT COMMITTED CULPABLE VIOLATIONS OF THE CONSTITUTION AND RETRAINED THE PUBLIC TRUST IN FAILING TO MEET AND OBSERVE THE STRINGENT STANDARDS UNDER ART. VIII, SECTION 7 (6) OF THE CONSTITUTION THAT PROVIDES THAT “(a) MEMBERS OF THE JUDICIARY MUST BE A PERSON OF PROVEN COMPETENCE, INTEGRITY, PROSPERITY, AND INDEPENDENCE” IN ALLOWING THE SUPREME COURT TO ACT ON MERE LETTERS FILED BY A COUNSEL WHICH CAUSED THE ISSUANCE OF INTER-FLOPPING DECISIONS IN FINAL AND EXECUTORY CASES, IN CREATING AN EXCESSIVE ENTANGLEMENT WITH MRS. ARROYO THROUGH HER APPOINTMENT OF HIS WIFE TO OFFICE AND IN DISCUSSING WITH LIBRANTS REGARDING CASES PENDING BEFORE THE SUPREME COURT.

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**VIII.**

RESPONDENT BETRAYED THE PUBLIC TRUST THROUGH HIS PARTIALITY IN GRANTING A TEMPORARY RESTRAINING ORDER (TRO) IN FAVOR OF FORMER PRESIDENT GLORIA MACAPAGAL-ARROYO AND HER HUSBAND JOSE MIGUEL ARROYO IN ORDER TO GIVE THEM AN OPPORTUNITY TO ESCAPE PROSECUTION AND TO FRUS TRATE THE ENDS OF JUSTICE, AND IN DISTORT THE SUPREME COURT DECISION ON THE EFFECTIVENESS OF THE TRO IN VIEW OF A CLEAR FAILURE TO COMPLY WITH THE CONDITIONS OF THE SUPREME COURT’S OWN TRO.

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**CORONA IMPEACHMENT SPECIAL**

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**IMPEACHMENT TIMELINE**

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**IN DEFENSE OF THE COURT**

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**THE RHETORIC OF IMPEACHMENT**

March 2012 | ARELLANO LAW GAZETTE 29
Case No. 002-2011: ON THE IMPEACHMENT OF CHIEF JUSTICE RENNATO CORONA

February 28, 2012

The Petitioners rested their case. Presenting evidence only on Articles 2, 3, and 7, believing these are enough to convict Chief Justice Corona. The presentation presented 23 witnesses and marked 197 documents.

The impeachment trial was re-opened on March 13 for the presentation of the defense witnesses.

Not Guilty

Corona could be removed from his office as Chief Justice and be disqualified to hold any office under the Republic of the Philippines. Constitution. He may be liable for the criminal prosecution if he the act that led to his impeachment constituted criminal offenses.

February 9, 2012

The Supreme Court, voting 6-3, issued a TRO on the issuance of subpoena to open the requested dollar accounts of Corona in PS Bank.

February 7, 2012

Senator Miriam Defensor-Santiago’s motion for recommissioning on the court’s resolution ordering subpoena to open the bank accounts of Corona was not allowed.

February 12, 2012

The impeachment Court voted 13-15 to respect the Supreme Court’s TRO issued on Feb. 9.
BY SHAYNE ANNE BASCO

THE PRINCIPLE OF Separation of Powers, which was first developed in ancient Greece, is a model for the government of a state. It upholds the principle that the state is divided into branches, each with separate and independent powers and areas of responsibility so that no branch has more power than the other. The theory of the separation of powers is designed by its originators to secure action and at the same time forestall overreaction which necessarily results from undue concentration of powers, and thereby obtain efficiency and prevent despotism.

The glorious revetty was short lived as the people were bombarded with a galactic terminologies only days passed New Year. Like a theatrical play, the powers of the three great branches of the government unravel before their eyes in a manner never seen before. In a day’s work, 188 Congressmen signed the articles of impeachment against Chief Justice Renato Corona that was alleged to be in a day’s work, 188 Congressmen signed the articles of impeachment against Chief Justice Renato Corona that was allegedly driven by the President of the Philippines himself. The stage was set and the cameras continuously rolled as this time, the highest official of the court was put on trial. Yet, the story is the so-called midnight appointment. He was set and the cameras continued to forestall overreaction which necessarily results from undue concentration of powers, and thereby obtain efficiency and prevent despotism.

The main character Renato G. Corona, the protagonist in some and the antagonist to many. He is the 29th and current Chief Justice of the Supreme Court of the Philippines. The mid-night appointment made by former President Joseph Estrada in favor of Corona is also one of the contents of the Articles of Impeachment against him. He is a consistent scholar from grade school to college, at the Ateneo de Manila University, where he likewise received his Bachelor of Laws. He has received his Doctor of Civil Law Degree from the University of Santo Tomas. He has served as a special counsel at the Development Bank of the Philippines and had been a senior officer of the Tax and Corporate Counseling group of SUG & Co. He has also served under the administration of former President Fidel V. Ramos as a Deputy Executive Secretary and later Chief Presidential Legal Counsel. On April 9, 2002, he was appointed to the supreme court and has rendered some notable opinions on cases such as Navey v. CA (appealed from decisions of trial courts, he served as State RegExp. of Swiss assets of the Marcos family) and Francisco v. House of Representatives, the lead counsel in the impeachment proceedings. He graduated cum magna with the degree Bachelor of Arts in Humanities and Management from the University of Asia & the Pacific. She married Evan McBride, an investment banker, on January 97, 2012, days before the commencement of the impeachment proceedings.

THE SPOKESPERSON FOR THE DEFENSE
Karen Olivia Jimeno received her Bachelor of Laws degree at the University of the Philippines College of Law in 2010. She passed the bar examinations in the same year with an average of 88.2%. She is the only law graduate of Ateneo de Manila University, where she also served as a member of the Student Council and the captain of the debating team. She has been in litigation for 27 years and is currently a member of the Bar Review Committee of the Asylum of Remedial Law Subjects. She is also a reviewer for the SEC’s Civil Procedure and Evidence. She is the Special Counsel of the Brondial Law Offices.

THE LEAD COUNSEL FOR THE DEFENSE
Serafin R. Cuervas, born on June 25, 1938, was appointed by former President Ferdinand Marcos as an Associate Justice and he served as such from June 01, 1984 – April 16, 1986. He took his Bachelor of Laws degree at the University of the Philippines and was admitted in the practice of law in 1952. He has likewise served as a judge of the Court of First Instance (Now RTC) and an Associate Justice of the Intermediate Appellate Court (Now CA). The late Chief Justice Fred Ruiz has recognized his qualification and appointed him as chief justice. Chairman of the Supreme Court Committee that drafted the proposed Code of Crimes. He graduated cum magna with the degree Bachelor of Arts in Humanities and Management from the University of Asia & the Pacific. She married Evan McBride, an investment banker, on January 97, 2012, days before the commencement of the impeachment proceedings.

THE SPEAKER OF THE PROSECUTION
Niel ‘Tupi’ C. Tupas, Jr. was born on July 3, 1979 from a political clan in Vigan, Bataan. He is currently the representative of the 5th District of Bataan. He passed the bar on his third attempt and has been a member of the Philippine Judicial and Bar Council. He is the president of the Liberal party and is the chairman of the Committee on Justice in the House of the Representatives. He has sponsored 24 House Bills since he assumed office on June 20, 2007.

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ARELLANO LAW GAZETTE | March 2012 29
I T WAS not too long ago when the nation witnessed the televised coverage of former President Joseph Estrada’s impeachment trial. We can assume everyone is now familiar with what Chief Justice Renato Corona is facing in the Senate acting as an impeachment court. Pandurang and legal experts have been all over the tri-media and there have been busily discussing and explaining the nuances and possible consequences of what is undoubtedly the “trial of the year.” News organizations covering the events are tapping the minds of legal experts to provide running commentaries on the impeachment proceedings.

Mass media as a tool for information dissemination plays a critical part in politics and governance. What may be said by a politician on television may be taken out of context and aggrandize the issue. Words employed by public figures possess the power of expression of their belief and opinion must be taken by the public with discernment in order to prevent confusion and further conflict, with what the lightning speed of information sharing and exchanges especially through the social media such as Twitter and Facebook.

The business of the impeachment court is still far from over. Everyone is intensely following the proceedings not only in anticipation of drama (perhaps from Senator Miriam Defensor-Santiago or comic relief (again, from Senator Juanito Santiago), but also because every Juan dela Cruz feels it is his duty to be informed in order to prevent confusion and further conflict, with what the lightning speed of information sharing and exchanges especially through the social media such as Twitter and Facebook.

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**By KRYME S. DAVID**

**THE RHETORIC OF IMPEACHMENT**

We have seen the showdown of wits between the House prosecutors and the defense team led by seasoned lawyer and former Supreme Court Justice Seraphin Ocampo. Intelligent though they may be in their own right, the ordinary Filipino who is not well-versed with the intricacies of a trial may be confused by the erudite debaters in the Senate floor.

The aim of adversary proceeding is to thrash out the truth so that a correct judgment may be rendered. Yet, the reality still persists that the legal or judicial truth may necessarily be not the actual truth. The versions of truth presented by the two contending parties in the impeachment trial may be presented as legally true, subject to the appreciation of the senators-judges. And from this, a question comes to mind: Who is telling the truth?

In the public’s mind, the public must be divined with this. And our politicians must be too good to be true. Perhaps, it would be helpful to view this progress on the side of rhetoric - the science which investigates the general principles to which every discourse ascribes a form, that is, designed to instruct, convince, or persuade. Aristotle defines rhetoric as a manner of efficaciously organizing material for the perfectation of truth, for an appeal to the intellect through speech.

Through the ages, this system of science has become a system of public discussion whereby, rightly or wrongly, by fair means or foul, a point of contention is carried. Especially now that everyone enjoys the power of social media which serve as sounding board for our sentiments and reactions, every voice can be heard.

It used to be that statesmanship was an art, developed and trained to serve the purpose of governance. “With words, we govern men,” said Benjamin Franklin more than a century ago. And this statement rings true even today. For it is power when it is not pronounced.

The Separation of powers and the blending of powers have been obscured by the powerful blend of separation. A basic lesson in Constitutional Law teaches us that separation of powers has been designed to serve as check and balance between and among the three great departments of government in a republican democracy. It is a class of its own, neither criminal nor civil process. In the words of former Chief Justice Pablo C. Cuna: “It is a class of its own, neither criminal nor civil process.”

We seek political justice from judicial politics. The Constitution enumerates those who may be impeached. It is interesting to note that the President and the Vice President are the only elected officials that may be subject to impeachment. All the rest are appointed officials who may be impeachable of which the Senate should validly assert its power of judicial review if it finds that there is grave abuse of discretion amounting to lack or excess of jurisdiction on the part of the impeachment court.

Even the House Prosecutors conduct in transmitting the articles of impeachment can thus be a proper subject of judicial review. But the House or the Senate for that matter must first recognize its power. Recognition of such exercise of power by the Legislature as it may insist its jurisdiction over the impeachment process may be limited to enactment of laws; the executive to the enforcement of law; and the judiciary to the interpretation of law.

**HOUSE PROSECUTION PANEL**

The President holding the entire executive machinery in some instances may assimilate that part of his mandate is to see that laws are faithfully executed. And given this, it has a legitimate stake in the outcome of the impeachment process.

This is where we find the powerful blend of separation. For one thing there is a borderline limiting the actions of the executive, legislative, and the judiciary. Our Constitution performs judicial function in cases of impeachment. And, the judiciary by the same token may rightfully view the acts of the government branches and instrumentalities.

We have to admit that although the Constitution draws the line of demarcation between these branches as prescribed by the organic law, by way of example, the President participates in lawmaking process when he signs or vetoes a bill. As to the principle that all government authorities emanate from them; the problem lies in the divisive attitude of the people brought about by the confession of interest of the key players.

**CHIEF JUSTICE CORONA**

**SENATE AS IMPEACHMENT COURT**

There is a need to distinguish between these issues, for one thing there is a borderline limiting the actions of the executive, legislative, and the judiciary.

First of all, the impeachment process is not an attack but rather a means to strengthen the judiciary.

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The Constitution draws the line of demarcation of these powers, the language of the Constitution in general terms tend to create confusion. This is seen in the light of the ongoing impeachment trial. Some would say that the Supreme Court may validly assert its power of judicial review if it finds that there is grave abuse of discretion amounting to lack or excess of jurisdiction on the part of the impeachment court. Even the House Prosecutors conduct in transmitting the articles of impeachment can thus be a proper subject of judicial review. But the House or the Senate for that matter must first recognize its power.

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The President holding the entire executive machinery in some instances may assimilate that part of his mandate is to see that laws are faithfully executed. And given this, it has a legitimate stake in the outcome of the impeachment process.

This is where we find the powerful blend of separation. For one thing there is a borderline limiting the actions of the executive, legislative, and the judiciary. Our Constitution performs judicial function in cases of impeachment. And, the judiciary by the same token may rightfully view the acts of the government branches and instrumentalities.

We have to admit that although the Constitution draws the line of demarcation between these branches as prescribed by the organic law, by way of example, the President participates in lawmaking process when he signs or vetoes a bill. As to the principle that all government authorities emanate from them; the problem lies in the divisive attitude of the people brought about by the confession of interest of the key players.
IN DEFENSE OF THE COURT

BY LESTER OPLE*

The Supreme Court should order the Legislature to cease and desist from proceeding with the impeachment of Chief Justice Renato Corona, on the ground that judicial power extends to any and all questions pertaining to the powers of the other branches of government. Law students should support and defend the Supreme Court from the mob if and when it happens, for when our society no longer has the rule of law, the profession we law students aspire for is nothing but a fancy title adorning our signature.

One of the oldest quips among law students is the doctrine of infallibility of the Supreme Court. The joke goes, if a lower court makes a mistake, it is an error that can be corrected by the Supreme Court; but if the Supreme Court makes an error, the doctrine of infallibility of the Supreme Court is established. This flies in the face of logic for the lay person, but even law students sometimes are challenged in explaining the concept of the supremacy of the Court to non-lawyers. Hence, the Roman Catholic concept of Papal infallibility and the doctrine of supremacy of the Courts to students, to arrive at the conclusion that the Courts should remain infallible.

Papal infallibility is a dogma of the Catholic Church which states that, by action of the Holy Spirit, the Pope is preserved from even the possibility of error when in his official capacity he solemnly declares or proclaims to the universal Church a dogmatic teaching on faith or morals. This is the concept that holds the Catholic faithful together, for the doc trine of infallibility of the Pope is to reject an error, not to answer for his alleged transgressions, a perusal of the articles of impeachment is in order. The list of allegations against the Chief Justice should not sensationalize him, for the impression that CJ Corona is being impeached for performing what the Constitution commands him to do, which is to render a decision as a member of a collegial body. Congress is now in deep waters on the Commissions issue. We are rich in jurisprudence as to the quantum of evidence they will adopt in administrative cases; but if the Supreme Court makes an error, the remedy of an appeal is not enough. The trend of jurisprudence is to lessen the possibility of error when in his official capacity, he solemnly declares or proclaims to the universal Church a dogmatic teaching on faith or morals.

* Lester Oppe, 28, is in his 2nd year of the Executive Program at AUSL and works at the executive Program at AUSL.
ON THE ARTICLES OF IMPEACHMENT

THE SC IS A COLLEGIAL BODY – THE CHIEF JUSTICE IS BUT ONE VOTE. THE ARTICLES OF IMPEACHMENT (EXCEPT THE ONE ABOUT CJ’S WIFE) ARE ALL PART OF THE JUDICIARY’S CONSTITUTIONAL MANDATE. THE SC MAY NOT DEEM THAT THEY ARE MERELY HUMANS. BUT TO ASSAIL THEM IN THIS MANNER IS A DISGUSTING EXERCISE OF PNoy’S VAST POWERS.

- ANONYMOUS, AS POSTED ON THE FREEDOM BOARD

ON INITIATING THE IMPEACHMENT

"LAHAT MAY GALIT SA KANYA, 65 NEEDED, 150+ ANG BUMOTO? MUKANG POWERPLAY AH."

- @JUPITERCHUA, VIA TWITTER

ON LOOKING FORWARD

"THIS IMPEACHMENT TRIAL IS AN INDISPENSABLE REQUIRED OF THE MATURING DEVELOPMENT OF OUR DEMOCRACY. I SERIOUSLY HOPE THAT AS SOON AS THEY COME TO A CLOSE, FILIPINOS WILL BE MORE THAN WILLING TO HOP ON THE BANDWAGON OF HOPE TO STRENGTHEN OUR DEMOCRACY AS WE BUILD A RESILIENT, STRONG AND CAPABLE NATION."

- JOHN PAUL NANT, 1ST YEAR

ON THE END RESULT

PARTISAN POLITICS PA RIN YAN, NUMBERS GAME, MANANALO ANG MAMARI. I DON’T WANT TO SOUND PESSIMISTIC BUT THAT’S THE REALITY. HINDI NAMAN SIGURO LAHAT NG SENATOR JUDGES, PERO I’M SURE KARAMIHAN DANY HINDI MERITS NG KASO ANG GAGAWIN SA DISEYON NILA.

- DINDO CERVANTES, 2ND YEAR

ON THE PROSECUTION’S PREPARATION

THE TRIAL IS A LITTLE BIT USELESS BECAUSE THE PROSECUTOR’S SIDE IS VIVELY UNPREPARED WITH THE PLEADING AND EVIDENCE THAT SHOULD BE PRESENTED.

- FRANCIS TAN, 2ND YEAR

ON THE SENATE AS IMPEACHMENT COURT

I COMMEND THE EFFORT OF THE SENATE TO HAVE AN ORDERLY TRIAL AND AS A LAW STUDENT I AM EXCITED TO KNOW WHAT WILL HAPPEN, BUT I THINK WE ARE ALL WASTING OUR TIME IF THE SENATE CONTINUES TO IGNORE TO DECIDE ON THE QUESTION OR ISSUE OF WHETHER OR NOT THE GROUNDS CITED WILL CONSTITUTE AN IMPEACHABLE OFFENSE.

- LEELA AURE, 4TH YEAR

ON LESSONS LEARNED

IT HAS BEEN SAID THAT CASES ARE NOT WON IN THE COURT BUT ON THE DESK OF THE LAWYER PREPARING FOR IT, DEFINITELY, THE PROSECUTION. IN THE INTEREST OF THEIR CASE, IT IS EXPECTED TO COME PREPARED FOR TRIAL. I CAN’T HELP BUT DO FACE-PALMS WHENEVER AT THE IMPEACHMENT TRIAL I SEE THE PROSECUTION GET REPRIMANDED AND EM-BARRASSED – APPARENTLY SHOWING THEIR LACK OF PREPARATION, THIS TO ME IS A LESSON EVERYONE SHOULD KEEP IN MIND IN THEIR FUTURE ENDEAVORS AS LAW STUDENTS.

- JOSEPH DICHLICO, 4TH YEAR

ON THE PERSONALITIES INVOLVED

"AS A STUDENT OF LAW, YOU WANT MORE OF THE RESILIENCE OF JUSTICE CUEVAS AND THE ABLE STEWARDSHIP OF SENATE PRESIDENT ENRIQUE. FOR COMIC RELIEF, I’LL NEVER RUN OUT OF OPTIONS."

- ERIC REYNOSO, 2ND YEAR

CHIEFS YELL

THE IMPEACHMENT TRIAL BRINGS OUT THE LAWYER IN EVERY JUAN DELA CRUZ. WHAT HAVE YOU GOT TO SAY?

IMPEACHMENT SPECIAL

L ast October, Telegraph, The Guardian, and Associated Press and several oth- ers covered the news of IDF soldier Gild Schalit’s release in a barrage of hand-wringing, as if to make up for their telling lack of interest in Palestine’s United Nations membership bid the month before. The indifference is only natural; Schalit’s release is more historical, since Obama promised to use the US’ Security Council veto on Pale- stine’s bid. Historical, that is, because his- tory is written by the winners. Forget about the 1,827 Palestinian prisoners. They no longer matter.

Schalit’s emancipation became a media spinboard for all the possible nation- al evils done to him in his imprisonment, despite being reported to be otherwise healthy. These media organizations don’t want a simple victory. They want to have their cake and eat it, too. And they want the rest of the seven-course meal, and the whole restaurant, and the whole supermar- ket that provides the ingredients. And they want to give all of it to Schalit.

Because, by the Judges-Christian god, Schalit is an Israeli soldier, damn it, and he better eat good.

There are even Knesset rumbles about the inequality of Hamas treatment to Schalit compared to the Israeli govern- ment’s treatment of the imprisoned Palesti- nians, likening the prisoners to a “five-star hotel” treatment. That’s a ra- tionale to fume at, because when a terror- ists boosts up a café in your neighborhood, your government treats him to a five-star hotel. A hotel, it seems, where torture, in- timidation, and other abuses are givens.

There are even Knesset rumbles about the inequality of Hamas treatment to Schalit compared to the Israeli govern- ment’s treatment of the imprisoned Palesti- nians, likening the prisoners to a “five-star hotel” treatment. That’s a ra- tionale to fume at, because when a terror- ists boosts up a café in your neighborhood, your government treats him to a five-star hotel. A hotel, it seems, where torture, in- timidation, and other abuses are givens. Physicians for Human Rights implied re- ported that there are “clear patterns of tor- ture and/or cruel, inhumane and degrading treatment of Palestinian detainees.” The September before the prisoner exchange, the prisoners even went on a hunger strike to protest worsening conditions such as overcrowding, poor ventilation, and inade- quate food.2

Realistic Healthy Children

If we are to discuss the health condi- tion of the people on both sides of the Israe- li-Palestinian conflict, then we must agree that the Israeli government has been terri- ble with its treatment of Palestinians.

In 2002, the United States Agency for International Development reported an in- crease in malnutrition among Palestinian children (38% chronic malnutrition, 23% acute malnutrition, for a total of 51% of Palestinian children, a significant increase from a less rigorous 2002 survey result with a total of 9.5%). The Israeli govern- ment then supposedly intensified its talks with Palestinian authorities, despite har- ming simultaneously approved airstrikes on Gaza city and while withholding $600 mil- lion in Palestinian tax from the Palestinian Authority. Now that must have been quite an interesting talk.

In 2006, the Israeli government with- held yet another $55 million per month ($660 million per year) from Palestinians, along UN’s threat to cut off its aid. Do we, Weiglas, Israel Prime Minister Olmert’s adviser, said that “The idea is to pressure the Palestinians on a diet, but not to make them die of hunger.”3

Footnotes

2. Lensman, Stephen. Palestinians Protest Israeli Prime Min. Bill. Warisafreedom. 4 October 2011. Web. Jan 2012. http://warsisafreedom.com/content/ palestine-palestinian-protest.html. The article goes on to say: “Horrible conditions include severe overcrowding, poor ventilation and sanitation; no change of clothes or adequate clothing; wooden planks with thin mattresses for beds; filth, blen- ler; inadequate food in terms of quality, quantity or conformance with dietary requirements; poor medical care; and hindered access to family mem- bers and counsel, among other abuses.”

Nutritional Evils

By Abdul Rafi Onos

N благодаря атакам, вызванным вбросами, мы получаем доступ к информации, которая может быть полезна для принятия решений. Однако, при неправильном использовании информации, она может привести к неправильным выводам и решениям. Это особенно важно при использовании большого количества данных, когда тестирование может быть сложным и требовать специализированных навыков.

Для примера, рассмотрим использование данных о питании. Пресса часто публикует материалы о взаимосвязи между питанием и здоровьем. Важно понимать, что эти материалы могут быть искажены или не полностью обоснованы. Использование неправильной информации может привести к неправильным выводам, таким как высокий уровень заболеваемости или высокий уровень смертности из-за неправильного питания.

Важным моментом является использование надежных и проверенных данных. Нельзя забывать о том, что информация должна быть интерпретирована и применена в контексте конкретной ситуации. Простое считывание данных не должно быть основой для принятия решений. Надо учитывать все факторы, влияющие на питание.

В заключение, следует подчеркнуть, что информация о питании является важной и ценной, но ее использование должно быть рассудительным и обоснованным. Недостаточное понимание этого может привести к неправильным выводам и решениям. Поэтому важно учитывать все аспекты, когда анализируете данные о питании и принимаете решения на их основе.
tinian children suffer from permanent malnutrition effects. As of now, 40% of the Palestinian population is made up of children under 15 years old. The director of the study attributes the irreversible malnutrition to poverty, of which half the Palestinians suffer from.

In 2008, the World Health Organization then released a report that revealed the health of children in Gaza is deteriorating. The report cited poverty, unemployment, and lack of health services as the main factors contributing to the poor health of children. The report also noted that the health of children in Gaza is worse than that of children in other parts of the world.

The report highlighted the high rate of malnutrition among children in Gaza. According to the report, 40% of children in Gaza suffer from malnutrition, and this is expected to increase in the coming years due to the ongoing conflict and the ongoing blockade.

Malnutrition is a serious problem in Gaza, and it isCompelling evidence that the Nakba has had a lasting impact on the health of the Palestinian population. Children born in Gaza have a higher risk of developing chronic health conditions due to their parents' malnutrition during pregnancy. This has led to a cycle of poverty and poor health that is passed down from generation to generation.

Despite the challenges faced by the Palestinian children, there are efforts being made to improve their health. The Palestinian Authority has launched various initiatives to address the issue of malnutrition, including the distribution of food packages and the provision of meals in schools.

There is also international support for the Palestinian children. The United Nations has expressed its concern about the situation and has called for increased efforts to address the issue of malnutrition in Gaza.

In conclusion, the health of children in Gaza is a matter of serious concern. The ongoing conflict and the ongoing blockade have led to a cycle of poverty and poor health that is passed down from generation to generation. However, there are efforts being made to address this issue, and international support is also being provided. It is hoped that these efforts will help to improve the health of the Palestinian children and break the cycle of poverty and poor health.
Classification Of Void Marriages Under The Family Code

Under the Family Code, a marriage, to be valid, must comply with the essential and formal elements required under Articles 2, 3 and 4 - and where any of these elements is missing, as defined under Articles 35, 36, 37 and 38 thereof, the marriage is void.

Unvoidable under marriage under the old rule (New Civil Code Of The Philippines) however, the Family Code allows for the following basic classifications of Void Marriages. These are:

- Void Marriages, Special Class:  "either of the former spouses may marry again after compli- ance with the requirements of the preceding article; whereupon, the subsequent marriage shall be null and void."
- Void Marriages, Standard Class: "the children under this section shall be legitimate."

These two types of void marriages are considered of the "special class" be- cause, unlike under the old rule (New Civil Code), "Children conceived or born before the judgment of annul- ment or absolute nullity of the marriage, for a party under Article 50, shall be deemed legitimate even if the party conceived or born out of wedlock under Article 53 shall likewise be legitimate." (Art. 34)

An unequivocal exception to the gen- eral rule of Article 34 is that "Children conceived and born outside a valid marriage are illegitimate, unless other- wise provided in this Code." (Art. 34)

What could be more "special" when the children of a supposedly valid mar- riage are considered illegitimate and non-existent marriage producing le- gitimate offspring?

Paradoxically, the currency of legitimi- nacy invested in the children of this class of void marriages, as shown below, was severely devalued by erroneous judicial pronouncements in the cases of Valdes v. RTC BR. 102, QC, reiterated in Mercado v. Fehr, Rel. 9, and now, by Dito v. Dito. (Art. 34)

Void Marriages, Special Class:  "Either of the former spouses may marry again after compliance with the requirements of the preceding article; whereupon, the subsequent marriage shall be null and void."

These two types of void marriages are considered of the "special class" because, unlike under the old rule (New Civil Code), "Children conceived or born before the judgment of annulment or absolute nullity of the marriage shall likewise be void even if such incapacity becomes manifest only after its solemnization." (Art. 34)

Subsequent Void Marriages Under Article 53:

"Either of the former spouses may marry again after compliance with the requirements of the preceding article; whereupon, the subsequent marriage shall be null and void."

These two types of void marriages are considered of the "special class" because, unlike under the old rule (New Civil Code), "Children conceived or born before the judgment of annulment or absolute nullity of the marriage that has be- come final and executory shall be considered legitimate. Children conceived or born out of wedlock under Article 53 shall likewise be legitimate." (Art. 34)

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PLEASE HAVE MY SEAT, MISS

VANTAGE POINT

BY AAC

I DO NOT consider myself a feminist—let’s just get that clear first. I do not cultivate any high-flying PhD dissertation fodder philosophy about women’s liberation. Anyway, I think almost everyone missed the point on that but it is another discussion altogether.

I am not comfortable labeling myself with any particular -ism, I feel it is restrictive and hypocritical in many levels. No one is just one thing all the time. It would be maddening to be so, and culturally impossible too.

I have always felt that women are the superior species. And it did not come from any sort of philosophical dogma or parental encouragement either. It was merely a personal deduction, at an early age and through seemingly empirical evidence that men are generally useless beyond lifting heavy furniture. And they have to team up with other boys to accomplish that, mind.

At tests, they sucked; they never do their homework; they are always getting in trouble; they always get reprimanded and scolded for failing to follow rules; for being stupid, generally. I did not then understand how these creatures can go through life with only half a brain. Yeah, unconsciously, at the young age of 10 or so, I was exorcising critically and coddling the male population. The only guy I had a modicum of respect for (intellectually that is) was my father. Stress on intellectual. He was smart, he was arrogant, and he seemed to be sure of things—never wrong. He hugs handshakes of varying genres in his over-night bag. For a minute in my young life, my father seemed a sort of an indistinguishable hero. But my classmates in elementary school completely eradicated my faith in the rest of the male population. They were just clueless gits, the lot of them.

But in this kind of education, I have always harbored the prejudice in favor of my own sex. Girls are smarter. Girls are more likeable, cleaner, tidier; girls accomplish tasks faster and more accurately and rarely if at all, get in trouble. Getting in trouble was to me as foreign as ‘liar, I never get in trouble. But that was before I went to college, and even then, it wasn’t really easy enough to fill an anglo-ridden first novel the likes of Prozac Nation.

Now, even being certain of our overall superiority, I never thought it benevolent to get help from a man. I am speaking of help here in terms of manual labor. I like opening doors (always, not only on first dates), holding an elevator door, offering to carry heavy stuff, walking on the right side of the sidewalk, paying for dinner, giving up seats in a crowded bus. Yes, giving up seats.

I have no doubt that men worth their salt are those who willingly go out of their way for others, and by others I mean women. I hold men to this great standard. Even with the recent developments in cultural thinking and feminist literature and trend infiltrating pop-culture (with the increase of kick-ass women in TV and the movies), I seriously believe that this women’s lib thing doesn’t preclude a woman from expecting to be respected and being taken care of.

There is certainly no doubt that we are capable of taking care of ourselves; and standing on the MRT or buses is no sweat at all—some of us do this on a daily basis. But when a man ignores a lady and pretends to be asleep in his seat, or busy with a book or a cellphone, I feel that familiar conviction that I am in the presence of worms. Wimp worms who can not even spare a minute of their times off their a**es to be polite to a lady.

For it is a manifestation of a man’s character, the willingness to abandon his own comfort so the women around him gets to be comfortable, and not chivalry that I see in this sort of philosophy dogma or parental encouragement as the norm.

i expect young, capable women to feel comfortable, and not chivalry that I see in this mind, I expect young, capable women to take charge of their seat, or busy with a book or a cellphone, I feel that familiar conviction that I am in the presence of worms. Wimp worms who can not even spare a minute of their times off their a**es to be polite to a lady.
an excerpt from the poem
“Rainbow”
by
Reynaldo “Bong” Lopez
Lawyer | Professor | Poet

For Law is a poetry of wisdom

ARELLANO LAW GAZETTE
ART AND LITERARY FOLIO

SOON!