

Remedial Measures for the Preservation of the Independence of the Judiciary

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In this Speech, the Author notes that the Judiciary, among the three great branches of government, is the weakest and the most susceptible to abuse by the political branches. The Judiciary's current structure makes it haplessly dependent on the executive branch in the selection of judges and the execution of its decisions, and it is at the mercy of the legislature, which has the power to fix its yearly appropriations. As such, there lies a huge temptation for members of the Judiciary to succumb to render decisions that please the members of the executive and legislative departments. Such defeats the purpose of the Judiciary as the "last bulwark" of the people's freedoms, the last hope of the oppressed from the tyranny of selfish individuals; it is revolting to the idea of co-equal branches of Government. Hence, the Author proposes several reforms, among them: minimal intervention by executive and legislative officials in Judicial appointments, higher salaries for Judges and Justices, constant rotation by lot of judges to different courts, and the like. The Author concludes that such changes will be essential in strengthening the independence and resolve of members of the Judiciary so that it may effectively become the People's champion of respect for the law.