

Morality: Towards A Rational Basis for Law
*Should Moral Principles be a Consideration in
Law or Court Decisions?*

Jose L. Sabio, Jr.

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The absence of cases as controversial as *Lawrence v. Texas* and *Bowers v. Hardwick* in the Philippines is a ground for considering the seeming disregard for morality by our legislature and judiciary. The current situation sadly points to the weak hold of Christian moral principles over Western society. While the public perception of most Western countries is hostile to religious-grounded reasons, a close examination of the nature of legislations may show that moral principles do have a bearing over questions of significance in society, particularly to its laws.

This Article addresses the urgent necessity to present jurisprudential and social reasons why morality should be considered in law making and judicial pronouncements. Because law performs a function of morally forming society's citizens, every time lawmakers promulgate and enforce a law, persons are effectively drawn towards or deflected from morally significant actions. Lawmakers and judges therefore have the duty and obligation to enact, enforce, and apply, at least morally neutral, if not morally good, laws.

The Article, by exploring the implications of the U.S. Supreme Court's decision in *Lawrence*, concludes that a law or court decision, has an indirect function in the moral formation of its citizens and, therefore, a disregard for moral considerations will lead to the loosening of important societal bonds and ultimately will lead to the ruin of society.