

A Review of Legal Education in the Philippines

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Premised on the effect of globalization not merely on economic development but also on the legal profession, this Article presents a readily understandable yet comprehensive study of the origins and future challenges of legal education in the country.

It begins with a treatment of the significant developments of legal education in both the international and Philippine settings. Notably, the narratives discussed are that of Europe, the United States, and the Asian Region — signifying the great impact of these traditions on Philippine legal education. As for our own tradition, the Article mentions the Pontifical University of Santo Tomas, the UP College of Law, the Martial Law regime, the Legal Reform Act of 1993 among others as playing vital roles in its growth.

The Second Part deals with what the Authors call ‘the path to modern legal education,’ broken down into three subparts namely: traditional legal education curriculum, global trends, and legal education overhaul. Thus, the LL.B. program is revisited. Subsequently, the Authors demonstrate how cross-border transactions have essentially paved the way for the expansion of the market for legal services, hence, requiring lawyers to be knowledgeable and competent not just in their own country’s laws but also that of another country’s. Lastly, a comparison between the LL.B. program and the Juris Doctor (J.D.) program is made, ending ultimately in the analysis that ‘the traditional LL.B. degree is an endangered species’ as more and more law schools worldwide have started to adopt the J.D. program.

The Authors also enumerate corporate law, public service, and alternative lawyering as the emerging areas of law practice in the Philippines. It is shown how lawyers today are engaged more in non-litigious work involving primarily business management than in litigious ones. In the field of public service, law schools have increasingly modified their curricula so as to provide opportunities for their students to take up a career in the government.

Similarly, alternative lawyering or lawyering for social justice is recognized by the schools through the introduction of legal aid programs as part of their curriculum, seen for instance in UP's OLA program and in the Ateneo De Manila University's clinical legal education I and II elective courses. The institutions established by both law schools catering to human rights (Institute of Human Rights [IHR] and Ateneo Human Rights Center [AHRC]) also manifest the extent of their involvement in alternative lawyering.

The Authors conclude by saying that further development of the Philippine legal system can best be undertaken by tapping its five pillars, namely: curriculum, resources, faculty, pedagogy or teaching method, and studentry. Law schools, they propose, must employ the best practices around the world subject to the needs and purpose of each school. Curriculum changes must also be backed up by adequate funding and sufficient resources. The faculty must remain ever competent and vigilant in their mentorship, which can be facilitated by offering courses and electives on specific areas of law to attract lawyers or judges with expertise in those areas. New techniques and innovations in teaching the law is also encouraged, especially since the case method now proves insufficient in training students to handle international cases. Finally, law schools are enjoined by the Authors to enforce effective screening methods so as to give the privilege of a globally competitive legal education to the really deserving ones.