

Once upon a time three stone masons were asked, one after the other, what they were doing. The first, without looking up, answered, 'Earning my living.' The second replied, 'I am shaping this stone to pattern.' The third lifted his eyes and said, 'I am building a Cathedral.' So it is with the men of the law at labor before the Court. The attitude and preparation of some show that they have no conception of their effort higher than to make a living. Others are dutiful but uninspired in trying to shape their little cases to a winning pattern. But it lifts up the heart of a judge when an advocate stands at the bar who knows that he is building a Cathedral.¹

The *Journal* is regarded as an important contribution to Philippine legal literature and is considered the premiere legal periodical in the Philippines. The *Journal* shepherds the evolution of legal opinion within and beyond the Philippines by offering its pages as a canvass for legitimate expression of ideas. Considering that thoughts committed to paper — like cathedrals or monuments — speak of humanity's quest for immortality, it is paramount for the *Journal* to ensure that its pages are stained not by mere inkblots but by reasoned thoughts, arguments, and advocacies.

As the *Journal* chalks up another year, it is apt to conclude with the words that are impressed upon every new editor: "To whom much is given, much is expected. Love what you do. Be passionate. All else can be taught, but passion for your craft can only come from you. As present stewards of the *Journal*, a great obligation is imposed upon you. Use each moment of legal scholarship to make a difference. Transform your competence into passion; and passion into a lasting contribution to legal thought and the literature of a future day. Don't lose sight of your Cathedral."

So mote it be.

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Foreword to Dynamism of the Growth of Laws and Jurisprudence

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The law is alive as long as every society it rules is alive. As society grows in complexity, so do our laws. This growth is organic because the law has to be able to adjust to the very complex realities that govern human interaction in a community. Surely some will say that the development of the law is always a few steps behind the complex changes that occur in a particular society. This may be true because society grows as it must as human relations change and people find new and other ways of doing business, of governing, of building families and of dealing with each other. Changes are almost imperceptible in a society because structures change to meet new realities almost automatically. Laws are made more deliberately because there are structures that regulate its formalization. Thus they are meant to be more consciously thought out and formulated.

The fact though is that the formulation and practice of the law are as dynamic and complex as the societies the law reflects. Mostly, practitioners define the law's praxis by the way they work within it and argue as to its interpretation. Often, without intending to shape the law practice to their ways, the system is influenced by how they think and act. The law also grows with the actions and practice of the people it guides. How they proceed with the commerce of life affects the values and regulations of the law. Of course, lawmakers and policy makers eventually formalize these laws and only then do the laws have a fixed and concrete form — one that will eventually still be transformed and changed as life goes on. When conflicts arise, the judiciary is tasked to apply and interpret the law, resulting in jurisprudence which is also constantly expanding.

The dynamism of the growth of law, its practice and jurisprudence need to be studied and articulated. This is because, with their dynamic and organic evolution, we may not be aware if the changes still reflect our basic values or principles. What we take for granted as necessary, practical or reasonable may be grounded on premises that violate our most fundamental beliefs as a people. But these dangerous lapses could get past us if no one is charting the movement of the evolution of law and jurisprudence. This is

* This appeared as a Foreword to 55 ATENEO LJ. 1 (2010).

1. Robert H. Jackson, *Advocacy before the United States Supreme Court*, 37 CORNELL L.Q. 1 (1951).