

# The Civic Duties of Ateneans\*

*Justice Antonio T. Carpio<sup>1</sup>*

Father Antonio Samson, President of the Ateneo de Davao University, Mr. Paul Dominguez, Chair of the Board of Trustees, other members of the Board of Trustees, the Deans of the Colleges, members of the Faculty, other officials of the University, Father Robert Hogan, the Class of 2009, parents and relatives of the graduates, my fellow alumni of this distinguished University, my colleague in the Supreme Court Justice Conchita Morales, Atty. J Castro of the Judicial and Bar Council, Attys. Nonong and Charito Cruz, my wife Ruth and my daughter Audrey, my fellow Davaoeños, friends -- good morning to all.

Allow me to thank the Board of Trustees for conferring on me this honorary Doctorate of Laws. I am deeply honored with this award bestowed by my own alma mater. And I am of course extremely pleased to address the Class of 2009 this morning.

I welcome this privilege to give you, the Class of 2009, some parting advice before you receive your diplomas and walk out of the gates of this University. As a life-long student of the law, I can tell you about your rights as citizens of our country. But this morning, I will tell you about your civic duties.

The real world you are about to face is now in turmoil -- economically, socially and politically--largely because people are obsessed with their rights and have forgotten their civic duties to society and country.

Our Constitution enumerates our rights as citizens, but you cannot find in our Constitution an enumeration of our civic duties. Congress has not passed a law enumerating the civic duties of citizens, not even the law that established the Civic Welfare Training Service. There is no decision of the Supreme Court enumerating, or discussing, the civic

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\*This was the Commencement Address given by Justice Antonio T. Carpio during the 2009 Commencement Exercises of the Ateneo de Davao University held on March 21, 2009 at the Ateneo Sports Complex, Matina, Davao City.

<sup>1</sup>Associate Justice of the Supreme Court; LLB, University of the Philippines College of Law (1975); AB Economics, Ateneo de Manila University (1970); Presidential Medal of Merit (1998); Chair of the Project Board of Judicial Reform Handbook (2009).

duties of citizens. In the curriculum of most schools, civics is taught as part of other subjects.

I believe that revisiting your civic duties as citizens is a fitting send-off as you start your exciting journey in the real world.

I shall bring you to my Latin class forty plus years ago in Ateneo de Davao High School where Father John Hogan taught us the origin of civics, from the Latin word *civitas* or city. The early Romans had the duty to defend their city, and this took the form of service as a foot soldier in the Roman army. And so the farmer-soldier was born--- the average Roman citizen tilled his farm, but when his city came under threat, he would take up arms as a soldier. He made or bought his own uniform, sword and shield. He armed himself using his own resources. That was how Rome became a strong Republic - through the unselfish and patriotic efforts of all its citizens.

Today, what is the equivalent of the farmer-soldier in the Republic of the Philippines? What are the civic duties of every Filipino citizen to maintain and support a strong Republic -- to ensure good governance, development and justice in our country?

The first civic duty of a citizen is to seek the truth, and to stick to the truth. There can be no good governance without the truth. A government policy that allows suppression of the truth breeds suspicion of governmental acts, and destroys public trust in government itself.

During the Senate impeachment trial of former President Joseph Estrada, the suppression of the contents of the envelope triggered within 24 hours a public outrage that led to EDSA II and the ouster of the President. Ironically, the prosecution did not even present during the trial the contents of the envelope to secure the conviction of President Estrada for plunder. It turned out the contents of the envelope were not that important. And yet the mere suppression of the contents of the envelope was enough to cause the sudden downfall of the President. Indeed, suppressing the truth could be more fatal than disclosing the truth.

The second civic duty of a citizen is to participate in the governance of our country. At the minimum, this duty means voting in every election, and voting only those you can trust to run the government honestly and efficiently. About twenty-five percent of our electorate do not vote largely because of apathy -- a neglect or refusal to participate in

the governance of our country. This 25% is more than enough to change the outcome of any election.

The election of Barack Obama to the U.S. Presidency proves that ordinary people, when organized and motivated, can beat well-oiled political machineries. The Obama phenomenon required one essential thing - the participation of the citizenry by registering to vote in the elections. Obama's campaign workers registered millions of new voters, changing the voting map of the United States. This made the big difference on Election Day. The lesson is clear: even those who in the past never voted in the elections can elect the president they want and deserve, if they exercise their duty to vote. In the coming elections in 2010, and in succeeding elections, be sure to exercise your duty to vote, and to vote only honest and competent candidates to public office.

The third civic duty of a citizen is to oppose oppressive or corrupt acts of those who hold public office. Public office is a public trust. If that trust is breached, the citizenry must demand an accounting because history has shown that only a vigilant citizenry can prevent abuse of public trust. An abuse of public trust that goes unchecked will repeat itself, and will become widespread and even more vicious.

When I was still in the private practice of law, I was one of those who filed the first plunder case against a sitting President. My law partners and I fielded a battery of lawyers in the first impeachment trial of a President. And these private lawyers assisted the public prosecutors in the plunder trial. The idea that we wanted to convey is that every citizen, within his or her means and competence, must prevent abuses especially by the highest public official. If we do not, then no one else will and we will truly deserve the government we get.

The fourth civic duty of a citizen is to respect the fundamental rights of his or her fellow citizens. We live in a pluralistic society of different religions, traditions and ethnic origins. We can only survive if we live in harmony with our fellow citizens.

As technology shrinks our 7,100 islands, and as a growing population consumes more of our diminishing resources, there will be greater competition not only among Filipinos in general, but also among Filipinos of different backgrounds. We need to be more tolerant than ever of those who do not share our own background or world-view.

The fifth civic duty of a citizen is to be fair in all his or her dealings with others. Whether you work in the public or private sector, you ultimately serve as trustees -- trustees of the public, and trustees of the stockholders or members you serve. Never abuse such trust. The root of the problem in the government and corporate world today is abuse of trust motivated by greed. Public officials entrusted with public funds treat those funds as their personal assets. Executives entrusted with corporate funds pay themselves huge bonuses even if their companies lose money.

Such abuse of trust has caused untold misery to taxpayers who continue to suffer from lack of basic services. Such abuse of trust has impoverished ordinary investors, like retired schoolteachers, who have lost their lifetime savings. It boils down to a failure by those who hold public or private office to exercise the civic duty to act with fairness in all their actions.

The sixth civic duty of a citizen is to leave his or her country a better place than he or she found it. Our country was built on the blood, toil, tears and sweat of every generation of Filipinos that lived in this country. A country does not develop in just one generation. A sustained development over several generations is required to lay the foundation for a country to take off, although the actual take off or turn-around can take place in just 15 to 20 years, as what happened in Taiwan, South Korea, Singapore and China.

The development of our country broke down during the martial law years. An analysis of UNESCO's motion chart of development indexes shows that for one entire decade, the Philippines did not progress because its GDP in 1976 was roughly the same as its GDP in 1986. In the same period, the GDP of our neighboring countries rapidly increased, and this accounts in part for how far they have developed, and how far we have lagged behind, today. We cannot afford a repeat of those stagnant years. It is your civic duty to insure that the country keeps on developing in your generation.

I have explained the civic duties of every citizen. But you, the Class of 2009, you have received a far better education in Ateneo than the rest of the 1.4 million young Filipinos who are entering the labor force this year. To you who have received a far better education, more is expected of you. You have a seventh special civic duty to the country as graduates of the Ateneo.

Your Ateneo education has taught you to ask questions, to think and analyze, and to dare to act on your convictions. In life, these are the essential tools to solve problems, to remove bottlenecks, to improve efficiencies, to make new discoveries, and to create new products. Your Ateneo education has taught you to question old ways of doing things, why they were hailed as solutions when they first appeared, and why they are now the intractable problems that must be overcome at all cost. The contemporary thinker Matt Miller calls these old ways that weigh us down *The Tyranny of Dead Ideas*. Dead Ideas can be laid to rest only by asking questions, by thinking and analyzing, and by daring to act to put the Dead Ideas to their grave.

In 1992, it took from 3 to 15 years to get a telephone line in Metro Manila. In the provinces, most people did not even expect to get a telephone in their lifetime. The problem was the telephone industry was a monopoly. When the modern telephone system was first introduced in this country, a monopoly franchise was necessary to entice the private sector to raise the huge capital for the telephone system. The monopoly was the solution then. From the 1960s onwards, the demand for telephones skyrocketed. But the telephone monopoly, secure in its franchise, took its sweet time in meeting the huge demand. Facing no competition, the monopoly also became inefficient. The telephone monopoly had become the problem, and no longer the solution.

As Chief Presidential Legal Counsel of President Fidel Ramos, I recommended the issuance of an Executive Order mandating the telephone monopoly to interconnect with all new cellular phone companies. No new cellular phone company would enter the industry if its subscribers could not call the subscribers of the telephone monopoly. I argued that the telephone monopoly franchise applied only to landlines, and not to cellular lines. The President signed the Executive Order. Suddenly, new cellular companies rushed to enter the industry. Competition blossomed. In less than two years, any one could get a cellular phone on demand with no waiting time.

The same thing happened in the shipping industry. A Dead Idea, the prior operator rule, prevented for several decades competition in inter-island shipping. Under the prior operator rule, existing shipping lines had a veto power over new companies that wanted to operate in the same routes. The prior operator rule was invented by administrative agencies to encourage investments in the shipping industry. But after several decades, the prior operator rule became an obstacle to the modernization of the shipping industry. Upon my recommendation,

President Ramos issued an administrative order abolishing the prior operator rule. Soon thereafter, new roll-on, roll-off vessels plied the sea-lanes, making possible the nautical highways that connect our islands today.

When I joined the Supreme Court in 2001, I noticed that it took three to five years before the Philippine Reports – the book bound copies of decisions of the Supreme Court – reached trial court judges in the provinces. Printing the Philippine Reports took years, and shipping them to the provinces was expensive. Disseminating Supreme Court decisions in this way was another Dead Idea. So, in 2004, I set-up the Supreme Court *E-Library*, the first web-based, full text search and retrieval electronic library in the Philippines.

Decisions of the Supreme Court are uploaded to the *E-Library* within 72 hours from promulgation. What took several years to reach trial court judges in the provinces now takes only a few days. And with the search engine of the *E-Library*, what took weeks to research now takes only a few minutes by simply typing key words or phrases. Judges without internet connection access the Supreme Court decisions thru the compact disc version of the *E-Library*, which we simply send by mail to trial judges.

Dead Ideas can block the progress and development of our nation for years or even decades. Once we throw away these Dead Ideas, the nation's development will accelerate rapidly. In the telecommunications industry, analysts estimate that for every 10% cellular phone penetration of the population, the economy on the average gains a 1.5% one-time increase in GDP. Today, more than 50% of our population has cellular phones compared to almost zero percent when President Ramos issued the Executive Order in 1993.

As graduates of the Ateneo, you have the skills to identify Dead Ideas, to question old ways, to analyze problems, and to think of new solutions. You also have the confidence to dare to implement your solutions. The Ateneo has equipped you with the sword and shield to slay the dragons of Dead Ideas. As full-fledged Blue Knights, you are now ready to fulfill your special civic duty as Ateneans – to do battle with the Dead Ideas in the real world as you leave the gates of this University.

To the Class of 2009, in your journey through life, you will now and then be faced with choices -- either to follow through, or to turn

your back, on your civic duties to our country. Like the Roman farmer-soldiers of old, face bravely your civic duties as citizens of our country. And like true Ateneans, dare to question, to think, to analyze, and to act on your convictions. In honoring your civic duties as citizens and as Ateneans, you become men and women for others in the Ignatian Spirit in our own time and age.

To the Class of 2009, my fellow alumni of this distinguished University we are all proud of, congratulations and Godspeed!