

PRO DEO ET PATRIA: THE POLITICAL PHILOSOPHY
OF JOSE P. LAUREL

REMIGIO E. AGPALO

I

POLITICAL PHILOSOPHY IS A REFLECTION ON MAN AND GOVERNMENT. It is a theoretical and systematic answer to the following questions: What is the nature of man, the basic unit on and for which government is established? Given human nature, what is the best form of government, and what should be its ends? What are the forces or factors which undermine and tend to destroy the best government, and what forces make for its preservation and maintenance?

Political philosophies, however, vary in profundity and originality. Plato, Aristotle, Thomas Aquinas, Hobbes, Rousseau, and Hegel, for instance, are universally recognized as very profound and original political philosophers. Others, like Cicero, John of Salisbury, and Edmund Burke, are considered less profound and original. Still others are regarded to have less stature than Cicero and Burke.

Jose P. Laurel may not have the stature of Plato or Cicero, but he did reflect on man and government, expounding his ideas even on such specific topics as the proper relationships among the branches of government, between the national and local governments, between the church and the state, between the administration and the opposition political parties, between conservatism and radicalism, and among the states of the world, as well as the role of morality in government, law, and politics. More significantly, Laurel had organized and systematized his political

ideas in at least four works—the *Birkenhead Manuscript*¹ written at Sugamo Prison in 1954, *Political and Moral Orientation*² of 1949, *Bread and Freedom*³ of 1953, and *Thinking For Ourselves*⁴ in 1958. It is for this latter fact that Jose P. Laurel can rightly be called a political philosopher.

To understand Laurel's political philosophy, one must read not only the manuscript and the three books mentioned above. He should also read Laurel's letters, Supreme Court decisions, speeches in Congress and in the public forum, lectures delivered before academic audiences, articles published in various newspapers and magazines, and other books published before, during, and after the Second World War. The pre-war books included the following: *The Election Law*; *Local Government in the Philippine Islands*; *Cases on Constitutional Law* (in two volumes); *Assertive Nationalism*; *Administrative Law and Practice*; *Politico-Social Problems*; *The Three Powers of Government Under the Philippine Constitution*; *Philippine Constitutional Law*; *Philippine Law on Elections*; *Observations on the Proposed Constitutional Amendments*; and *Procedural Reforms in the Philippines*.⁵ The books published during and after the war, other than *Political and Moral Orientation*, *Bread and Freedom*, and *Thinking For Ourselves*, were: *Forces That Make a Nation Great*; *Moral and Educational Orientation for Filipinos*; and *Our Economy—What Can Be Done?*⁶

¹ I call this manuscript the *Birkenhead Manuscript* because Laurel wrote it on the pages of a book by the Earl of Birkenhead, *The World in 2030 A.D.*, given to him at Sugamo Prison. A part of this manuscript was published under the title "War Memoirs," in Jose P. Laurel Foundation, *Dr. Jose P. Laurel* (Manila: Lyceum Press, Inc., 1962), pp. 1-68. The portion of the manuscript which deals with Laurel's political philosophy, however, is still unpublished. The manuscript is available at the Jose P. Laurel Foundation, Lyceum of the Philippines, Manila.

² Published in Manila, 1949.

³ Published in Manila, 1953.

⁴ Published in Manila, 1958.

⁵ *The Election Law* (Manila: Bureau of Printing, 1922); *Local Government in the Philippine Islands* (Manila: La Pilarica Press, 1926); *Cases on Constitutional Law* (Manila: Oriental Company, 1925, Vol. I; Vol. II, 1929); *Assertive Nationalism* (Manila: National Teachers College, 1931); *Administrative Law and Practice* (Manila: 1932); *Politico-Social Problems* (Manila: National Teachers College, 1936); *The Three Powers of Government Under the Philippine Constitution* (Manila: National Teachers College, 1936); *Philippine Constitutional Law*, in collaboration with George Malcolm (Manila: Lawyers Cooperative Publishing Company, 1936); *Philippine Law on Elections*, Revised edition (Manila: Ilagan and Sanga Press, 1940); *Observations on the Proposed Constitutional Amendments* (Manila: Bureau of Printing, 1940); and *Procedural Reforms in the Philippines*, (Manila: Far Eastern University, 1940).

⁶ *Forces that Make a Nation Great* (Manila: Bureau of Printing, 1944); *Moral and Educational Orientation for Filipinos* (Manila: The Lyceum Press, Inc., 1959); and *Our Economy—What Can Be Done?* (Manila: 1956).

However, no person's political philosophy can be well understood if not related to its setting, which includes the place where he was born, the personalities and institutions with which he came into contact, the historical movements which impinged on him, and the experiences he underwent during his eventful life. For, after all, no political philosophy develops in a vacuum. A political philosophy is not a Minerva which burst out of Zeus's head, mature and fully panoplied with armor. Instead, it is a gradual development, painfully synthesized in the mind of the thinker after time, place, personalities, institutions, and experiences have interacted together with the man.

Jose P. Laurel was born on March 9, 1891 at Tanauan, Batangas.⁷ This town is historic because it is the hometown of Apolinario Mabini, a nationalist whose moral insight, intellectual prowess, and intense and steady patriotism guided the Revolutionary Government headed by General Emilio Aguinaldo during its formative and difficult days of struggle not only against Spaniards and Americans but also against selfish Filipinos.⁸ Laurel relates himself to Tanauan and Mabini when the former wrote: "It might be due to the circumstances that having been born and raised in the same hometown as our peerless Apolinario Mabini, the Sublime Paralytic of our history who is perhaps the greatest Filipino nationalist intellectual produced by our race so far, I early imbibed from the very atmosphere I breathed in childhood the clear-headed, courageous and passionate love of country of the hero of Tanauan."⁹

But this was not the only important factor which explains why Laurel imbibed early in his life "the clear-headed and courageous and passionate love of country" of Mabini. Equally significant was the fact that his father, Sotero Laurel, was deeply and intimately involved in the Philippine Revolution. Together with Marcelo H. del Pilar, another nationalist and indefatigable leader of the Propaganda Movement, and a few other Filipinos, Sotero Laurel formed a secret society called *De Los Cinco*, whose purpose was to work for Philippine autonomy from Spanish rule. Later, he was designated by General Emilio Aguinaldo as Undersecretary of

⁷ Two book-length biographies of Jose P. Laurel are (1) Juan Collas, *Man of Destiny* (Manila: 1944) and Teofilo del Castillo and Jose del Castillo, *The Saga of Jose P. Laurel* (Manila: Associated Authors Company, 1949).

⁸ See Cesar A. Majul, *Mabini and the Philippine Revolution* (Quezon City: University of the Philippines, 1960) and *Apolinario Mabini: Revolutionary* (Manila: National Heroes Commission, 1964)

⁹ *Our Economy—What Can Be Done*, p. 74

Interior in the Revolutionary Government. Sotero Laurel also was a delegate to the Malolos Congress which framed and adopted a constitution for the First Philippine Republic.

That Laurel was greatly influenced by the Philippine Revolution and its heroes and ideas is very clear in his account of the struggle against Spain. Laurel wrote:

The revolution was successful; it was a glorious one. We emancipated ourselves from Spanish abuse and exploitation and saw the nation strive mightily on the battlefields and later in solemn congress at Barasoain Church in Malolos, Bulacan, to lay a better life for all Filipinos.... These glorious events of the last few years of the previous century.... naturally influenced and colored our beliefs.... We became imbued with those noble ideas of Rizal.... We were impressed during our most sensitive years by those stories of great sacrifices, of self-immolation of our famous leaders of the libertarian movement in Spain and in the Philippines....¹⁰

The "glorious" revolution, however, failed because the United States came in 1898, and with its superior arms and military organization, defeated the Filipinos. But the Philippine defeat by the United States did not mean the cessation of the struggle for independence. This struggle for Philippine independence was continued in a peaceful and parliamentary way. The leaders of the new tactical approach to political freedom were young men—Sergio Osmeña, Manuel Quezon, Manuel Roxas, and several others. Among the other new leaders was Jose P. Laurel himself. Laurel wrote of their fight:

With the Philippine-American War over..., two great ideals possessed us in the early decades of this century: the first was to carry on, with unflagging fervor, the libertarian struggle of our people; the second was to demonstrate, in every way, Filipino capacity not only for self-government and democratic processes but also for progress and achievement in the so-called 'higher things' of life—education, art, letters, culture in general. Our nationalism took the form of a fierce desire to prove our competence as a people, to demand from everyone a recognition of equality with other races to demonstrate national dignity and self-respect.¹¹

The most dramatic manifestation of Laurel's nationalism was demonstrated in the Conley Case in 1923. Resigning his position as Secretary of Interior under the administration of Governor General Leonard Wood on the grounds of improper interference of the Governor on minor local matters, Laurel initiated the resignation of the Filipino Cabinet *en masse*.

¹⁰ *Bread and Freedom*, pp. 136-137

¹¹ *Ibid.*, p. 137.

If Laurel became imbued with nationalism by the Philippine Revolution and the peaceful movement for independence that followed the Revolution, it was his studying in American-established or Western schools and working in various branches of the Government of the Philippines patterned mainly from American models and with American and Filipino leaders who accepted democratic ideas and institutions which developed in him the love and respect for democracy.

In the American-established schools, Laurel studied law, the social sciences, and the humanities. At the University of the Philippines, where he took his law course, he studied under former Justice George Malcolm of the Philippine Supreme Court, who was then Professor and Dean of the College of Law. Later, he collaborated with Malcolm in writing the study on *Philippine Constitutional Law*. At Yale University, where he received a degree in Doctor of Civil Law, he studied under former President and former Chief Justice of the United States Supreme Court, William Howard Taft. Laurel also took courses at Oxford in England and the Sorbonne in France. In both the American established schools and European universities, Laurel became immersed in Western political and social ideas. However, in these schools, because he was a wide and avid reader, he also learned much about Oriental history, culture, and ideas.

Laurel's working in the various branches of the Government of the Philippines apparently was the most important factor in his becoming an ardent exponent of democracy. Two main reasons account for this. First, it provided him with numerous opportunities to interact with persons who believed in and approved of democratic government. By working with them, Laurel became socialized in their ways. Second, it provided him with opportunities to learn and become accustomed to the actual and practical roles and importance of the different governmental branches in the democratic political system. Laurel served in the Congress, the Supreme Court, Malacañang, and the cabinet, as well as in the Constitutional Convention; and in his various governmental capacities he learned the significance and nature of and the need for the rule of law, independence of the judiciary, the bill of rights, debate and discussion, popular suffrage, democratic compromise, majoritarian principle and minority rights, party government, exe-

cutive leadership, and other principles and practices of democratic government. Both of these reasons are strengthened by the fact that Laurel's working in the government had been more or less continuous for half a century. During this long period of service, he had ample time to become accustomed to and fall in love with the democratic form of government established in the Philippines.

Laurel began as a government employee in 1909 as a part-time laborer at the Bureau of Forestry at forty centavos for half a day. From 1912 to 1915, he worked at the Code Committee under the supervision of Thomas Street, later Associate Justice of the Philippine Supreme Court. It was Thomas Street who instilled in him early in life the ideas of constitutionalism and the human aspect of the law, as well as belief in truth, justice, and scholarship.

From 1916 to 1921, Laurel was with the Executive Department; from 1922 to 1923, with the Department of Interior. On February 9, 1923, he was appointed Secretary of Interior by Governor General Leonard Wood, but he did not stay long in this office, for he resigned his post on July 17, 1923 on account of the Conley Case, thus precipitating the political crisis of that year.

From 1925 to 1931, Laurel served as Senator from the Fifth District, and from July 10, 1934 to March 23, 1935, as delegate to the Constitutional Convention. In this Convention he was chosen Chairman of the Committee on Bill of Rights.

Laurel's next office was in the Supreme Court, where he was appointed as Associate Justice on February 29, 1936. Laurel served in this Court until 1941. Towards the end of this year, Manuel L. Quezon, then President of the Philippines, appointed Laurel Acting Secretary of Justice and, a little later, also as Acting Chief Justice of the Supreme Court. He was holding these positions when the Japanese invaded the Philippines.

During the Japanese Occupation, a Japanese-sponsored Republic of the Philippines was established. First appointed as Commissioner of the Department of Justice, Laurel later was chosen as President of the Republic. When the American Forces returned to the Philippines, Laurel was brought to Japan by the Japanese. There, he was arrested by Americans and later confined at Sugamo Prison.

He was brought back to the Philippines in July, 1946 and jailed in the Bilibid Prison. Then he was tried at the People's Court as a collaborator with the Japanese. In 1948 shortly before President Manuel Roxas died and prior to the conclusion of the trial, the President granted an amnesty to those who were accused of collaboration. Laurel was one of those who was given amnesty because President Roxas believed that Laurel was never a traitor to the Philippines and the United States.¹²

Laurel ran for the Presidency of the Philippines in 1949, but Elpidio Quirino defeated him in the controversial election that year. In the 1951 senatorial election, Laurel was again a candidate. This time he won, obtaining the highest number of votes among the victorious senatorial candidates. He served in the Senate until 1957 when his six-year term expired. However, Laurel continued

¹² Laurel explained his serving as official of the Executive Commission or as President of the Republic during the Japanese Occupation as follows:

"I did not voluntarily give aid or comfort to Japan in the war against the United States. Where, either as official of the Executive Commission or as head of the Republic, I may appear to have acted against the interest of the United States, I acted under compulsion or pressure and there was no other alternative if greater harm to our people was to be avoided. Even then, I endeavored to the best of my knowledge and ability, with the help of my constitutional advisers and colleagues in the Government to avoid taking the action; if the action could not be avoided, I endeavored postponement and if I believed that it would no longer be safe to delay because of the extraordinarily difficult situation in which I found myself, I tried to nullify the effects or minimize the results of the action that had to be taken, as illustrated in the cases hereinabove mentioned. It seems clear that collaboration under compulsion or pressure is not punishable; neither is collaboration compelled by, and limited to the necessity of, national survival, punishable. . . . And if the charge were that we should have refrained from *any act* of collaboration with the enemy, our reply is that ultimately the legal and moral responsibility for the situation must be assumed by the United States because of her admitted unpreparedness to defend the Philippines." ("War Memoirs," p. 65)

Professor Teodoro A. Agoncillo acquitted Laurel from the charge of collaboration in his *The Fateful Years* (Quezon City: R. P. Garcia Publishing Company, 1965), Vol. II pp. 911-917.

He wrote: "Heroism has two aspects: the negative and the positive. The negative aspect results from martyrdom, the courage to face death fearlessly. . . . The positive aspect of heroism, which is less appreciated because unglamorous, reveals itself in the courage to face life and all its aberrations, frustrations, fears, and dangers. Death ends man's problems; life increases them. If it is supreme heroism to die for a principle, it is equally supreme heroism to live and face the vicissitudes and consequences of life. Vinzons and Abad Santos exemplify the first; Laurel the second. I like to think that Laurel, in not running away from life and in facing its challenges, showed a rare kind of heroism." *Op. cit.*, pp. 915-916.

The Filipino electorate clearly acquitted Laurel from this charge in 1951 when it elected him Senator of the Philippines.

serving the country as elder statesman until his death on November 6, 1959.

When Laurel was not working in the government, he was either engaged in research and writing, or law practice, or teaching in some university, or carrying out his role as citizen, father, or some other private capacity. Some of the universities or colleges where Laurel had taught courses usually in law or political science were the University of the Philippines, the National Teacher's College, and the Lyceum which he founded.

It is out of his rich and fruitful life dedicated to public service that Laurel's political philosophy was developed. The matrix of its growth was the Philippine political, social, and economic setting as conditioned by the unique features of Philippine history. All the basic ideas of his political philosophy were already formulated in his numerous pre-war writings, and more details about them were elaborated or discussed in his post-war works. However, the first systematization of his political philosophy was made at Sugamo Prison. Like other political thinkers who were inspired to write their political philosophy during their period of imprisonment or exile, such as Niccoló Machiavelli, Dante, Jose Rizal, Apolinario Mabini, Mahatma Gandhi, and Jawaharlal Nehru, Jose P. Laurel made his prison and exile the birthplace of his political philosophy. In his *Moral and Political Orientation*, Laurel wrote:

The long hours during my one year's confinement in Sugamo Prison in Tokyo, Japan, gave me ample time to ponder at leisure and jot down a few notes on moral, philosophical and historical topics between the lines of a book I was permitted to have. The book is entitled *The World in 2030* by an English scholar and scientist, Lord Birkenhead.¹³

On one page of this book, Laurel had written:

I am reminded that today is Christmas. As I reconcile myself to this Christian reality, my soul is lifted above and wanders in search for happiness and peace of mind which only God, my country, and my Family can offer. On this occasion I attempted to integrate my religious and political philosophy ... entitled *Pro Deo et Patria* (For God and Country). The compendium is a humble and sincere offering that is made on the nativity of the Prince of Peace for my own spiritual satisfaction in this confinement. May it also prove beneficial to my countrymen, particularly to the Filipino youth.¹⁴

¹³ *Moral and Political Orientation*, p. iii.

¹⁴ "War Memoirs," pp. 67-68.

II

Basic to the understanding of Laurel's political philosophy is his concept of man. For in his writings either before or after the war, Laurel had always insisted that government had one primary purpose—the dignification of man. Laurel said: "The state exists for the individual and not the individual for the state Dignification of the human personality should be the paramount concern of the State."¹⁵

Man, according to Laurel, is no simple being. Complex and versatile, he lives and is subject to the laws of three realms—"the physical, the intellectual, and the spirituo-moral."¹⁶

In the physical realm, man belongs to the same world where rocks, water, the paramecium, and plants live. In this world, man is subject to physical laws or the laws of Nature. Thus, man falls down a precipice in accordance with the law of gravitation, becomes hungry or thirsty, contracts a disease and dies like plants or lower forms of animals. In the physical world man has physical needs and drives.

Man, however, is not only physical in nature. Laurel says:

Whilst man's position in the Universe is as authentic as that of chemical element . . . , his mind goes beyond mere perception of the senses. He seeks explanation for the seemingly inexplicable phenomena of Nature, and, in this unending search for truth becomes recklessly defiant by attempting to know the unknowable Originally a wild creature, naked and homeless, with sticks and stones as his only weapons, he wandered over mountains and meadows, across rivers and deserts—a toy of chance and fate—and it seemed for a time that he would succumb and perish in the brutal competition with the elements and with jungle beasts. But his intelligence saved him.¹⁷

In short, man is rational and intellectually adventurous, for he is provided with intelligence or reason. Because of his reason he can control Nature, subjugate the jungle beasts, and build a civilization.

But man rises even beyond the intellectual realm; he also soars into the spirituo-moral world. In this world man communes, through faith and reason, with the Divine Providence, the Creator and Sustainer of the Universe. While physical laws rule in the physical world, in the spirituo-moral realm the laws which apply are the Divine Order and Command, prescribing that man must conform to "the fundamental virtues of love, charity, recti-

¹⁵ *Bread and Freedom*, p. 14. Cf. *Assertive Nationalism*, p. 149. See also *Moral and Educational Orientation For Filipinos*, p. 7.

¹⁶ *Moral and Political Orientation*, p. 22.

¹⁷ *Ibid.*, pp. 23-24

tude, humility and beauty—all summarized in one word—Righteousness."¹⁸

Man, besides being physical, intellectual, and spirituo-moral, is furthermore "a social and political being."¹⁹ Laurel adds: "His nature demands that he lie in the society of his fellowmen."²⁰ Elsewhere, he writes: "His life is a community life."²¹

In spite of man's spirituo-moral, social, and political nature, discord and antagonism still take place in human society. There are reasons for this fact. First, association gives rise to antagonism, for individuals who are endowed with different temperaments, ideas, and ideals, are drawn into conflict when they seek to satisfy their conflicting interests.²² Second, discord or antagonism takes place because of human passions and misconceptions.²³ As passions dominate him, his humility and sense of justice fly away. Laurel observes: "Man's humility, if it is, seems temporary. See him rise to position and power, to wealth and fame, surrounded by adulators and sycophants, and observe what happens. From the heights of his comfortable perch, he views the misfortunes of his fellows with indifference, if not ill-concealed contempt. His ears become deaf to the cries of those in want and his heart becomes hardened to the demands of elementary human decency. He thus becomes an actor in the ever recurring scene: the perpetration of man's inhumanity to man."²⁴

III

The original and most primitive form of social organization, according to Laurel, as Aristotle had said more than 2,000 years ago, is the family. In this primary group, the *paterfamilias* or the father exercised absolute authority; that is, he even had the power of life and death over the members.²⁵

In time the family gradually developed into the tribal society, "a more complex social structure where authority no longer was vested in the *paterfamilias* but in the strong man of the group."²⁶

¹⁸ *Birkenhead Manuscript*, p. 95. (The page cited here does not refer to the printed page of the book by the Earl of Birkenhead, *The World in 2030 A.D.* (London: Hodder and Stoughton, 1930), but to the penciled page as written by Jose P. Laurel on the book. All other citations from this Mss. regarding page also refer to the penciled pages.)

¹⁹ Jose P. Laurel, *Commentaries on the Moral Code* (Manila: Lyceum Press, Inc., 1965), Posthumously published, p. 24.

²⁰ *Ibid.*, p. 24.

²¹ *Ibid.*, p. 77.

²² *Moral and Political Orientation*, p. 30

²³ *Birkenhead Manuscript*, pp. 69-97.

²⁴ *Moral and Political Orientation*, p. 15.

²⁵ *Bread and Freedom*, p. 3

²⁶ *Ibid.*

The strong man, Laurel said, gained his preeminent position in the tribe on the basis of popularity, bravery, and physical and mental prowess.

Petty wars between families played a significant role in the birth of the tribal society, for the wars called for stronger and more competent leadership. In the next stage of development, wars also played an important role. In the wars of the tribes, one tribal group finally dominated over the other tribes. The integration of tribes thus led to the next stage of political evolution—the municipal organization. The ancient city-states of Athens and Rome illustrated this higher type of political system.

Again, through wars city-states expanded their territories, and their population increased. The amalgamation of city-states brought about the birth of the modern state. At first monarchy was the accepted political form, with the monarch and the nobility enjoying special privileges. In time the monarch became an absolute ruler, even claiming the divine right to rule.

But monarchy, like the other lower forms, could not continue ruling with absolute authority. The people, after suffering oppression from despots and tyrants, revolted, proclaiming to the world the principles of "Liberty, Equality, and Fraternity" and subsequently inaugurating for mankind the era of popular government.

To Laurel, popular government is the best form of government. He considers this system the best because it is the only form of government which can accommodate the complex nature of man and maintain and protect his human dignity and rights. On the other hand, communist and fascist political systems are unjust and bad because they trample upon human dignity and rights.²⁷

Popular government, representative government, republican government, and democracy are synonymous terms in Laurel's political vocabulary. Thus Laurel writes: "Popular government means, in substance, a representative type of government that is controlled by the people, one in which the powers of government are exercised with their mandate."²⁸ He also says: "When we speak of democracy, we . . . refer to a representative type of popular government. . . republican government is representative democracy."²⁹

²⁷ *Thinking for Ourselves*, p. 85.

²⁸ *Bread and Freedom*, p. 12.

²⁹ *Thinking for Ourselves*, pp. 57-58.

Three features constitute the essential elements of popular government; they are "representation, renovation, and popular control."³⁰

Representation is a device for retaining political sovereignty in the hands of the people by means of representatives elected by the people. It is actually a recognition of the practical impossibility of the people to govern the political system. Laurel realizes that theoretically "the sole source of political power is the people," but he also realizes that "direct democracy by which and under which the great masses of the people are actually governors and governed at the same time is no longer a physical possibility." The main reasons for this fact are "the rapid increase in population, the expansion of territorial possessions, and growing complexity of social, economic, and political problems."³¹

On the other hand, renovation is change. It is made possible by the fixity of official tenure of the elected public officials. Through periodic renovation ambitious officials who wish to perpetuate themselves in office can be checked. "Renovation also gives the people the necessary opportunity to express their judgment with respect to an official, whom they may retain in or drop from office on the basis of his behaviour and performance."³²

As for the role of popular control in a democracy, Laurel says :

What secures to a representative democracy its popular character is the ultimate control that the people possess over their government. This implies not only the adoption of a clean, honest, and wise electoral system but also the political education of the citizens in order that they may intelligently participate in the affairs of their government.³³

Representative democracy had been intimately linked to capitalism and the idea of *laissez-faire*. This had resulted in a number of serious problems of the political system: "inefficient social organizations, the poverty and consequent degradation of the poor, the selfishness of many citizens who seldom think of the group interest, and particularly . . . such matters as wasteful production of techniques, very limited utilization of our natural resources, a backward educational system and curriculum, a weakness for self-indulgence, corruption, and a general let-the-devil-take-the-hindmost attitude."³⁴

³⁰ *Ibid.*, pp. 60-61; Cf. *Bread and Freedom*, pp. 12-13.

³¹ *Bread and Freedom*, p. 13.

³² *Thinking for Ourselves*, p. 60

³³ *Bread and Freedom*, p. 13.

³⁴ *Thinking for Ourselves*, pp. 21-22

Communism is aggravating these problems, and is becoming the principal threat to republican government. Besides, the population increases every year, and job opportunities do not increase proportionately. If representative democracy does not adjust itself to the changes of the twentieth century, it will become extinct. For in man-made institutions, as well as in the biological world, growth and adaptation to changing conditions are the law of the life. "An idea or system which cannot and does not grow or adjust itself to new conditions is useless; it is dead."³⁵

In order to survive, representative democracy, according to Laurel, must "adjust itself to the conditions of the atomic age." He continues: "It must grow stronger, more flexible, more sensitively responsive to the problems of individual nations adhering to it as a system, so that it may overcome those threats to it which, in our particular time and place, arise from the rise and dynamic expansion of Communism."³⁶

How will republicanism adjust itself to the problems of the twentieth century? Laurel answered this problem in 1958 as follows:

Republicanism can only compete with communism successfully in a country like the Philippines by centering its (Republicanism's) effort principally on the wide though fairly concrete area of social justice and social and economic reforms.³⁷

In 1945, writing at Sugamo Prison, Laurel was verbally more sanguine in giving an answer: "Republicanism vitalized by State socialism is the best form of government for Filipinos in this epoch".³⁸ Laurel writes further: "Maintaining all these essential requirements (representation, renovation, and popular control), we should furthermore have a socialized democracy, or form of state socialism by which the State is permitted to intervene and control in matters necessarily connected or involved in the promotion of economic security and social justice."³⁹

IV

It is interesting to note at this point that Laurel purposely avoided the use of "State Socialism" in his published post-war

³⁵ *Ibid.*, p. 67.

³⁶ *Ibid.*,

³⁷ *Ibid.*, p. 70.

³⁸ *Birkenhead Manuscript*, p. 80-B

³⁹ *Ibid.*, p. 80.

works. "State Socialism" appeared in item VIII in Laurel's presentation of his ten-point moral and political philosophy in the *Birkenhead Manuscript* of 1945. In 1949, when Laurel published his *Moral and Political Orientation*, which developed the same ten items of his political and moral philosophy, the "state socialism" in item "VIII" was removed. It was replaced by "social control for the promotion of the people's welfare." *In Thinking for Ourselves* of 1958, as shown above, it was replaced by "Social justice and social and economic reforms."

Does it mean, therefore, that the post-war modification of the position he adopted in the *Birkenhead Manuscript* is a weakening of his stand in 1945?

A comparison of the corresponding ideas in the *Birkenhead Manuscript*, *Moral and Political Orientation*, and *Thinking for Ourselves* shows there is no significant change in Laurel's position. Consistently, Laurel had been advocating for the regulation of the extremes of capitalism through government intervention in the economy and society, with the end in view to implementing the various provisions of the Constitution of the Philippines involving social justice. It must be admitted, however, that implementation of social justice was called "state socialism" by Laurel in the *Birkenhead Manuscript* of 1945 and "social control for the promotion of the people's welfare" or "social justice and economic and social reform" in the post-war books.

This is how Laurel wrote his ideas in the *Birkenhead Manuscript* of 1945: "VIII. The essence of republicanism is popular representation and control. Republicanism vitalized by state socialism is the best form of government for Filipinos."⁴⁰ Then he continued: "We should have a...form of state socialism by which the state is permitted to intervene and control in matters necessarily connected or involved in the promotion of economic security and social justice... Stated otherwise, state socialism implies curtailment, if not complete abandonment of the principle of *laissez faire* in favor of social and economic planning so that great masses of the people may have ample opportunity for work, may live a civilized man's life, have homes, medical attention, modern education, and earn the amenities of life to the extent of social and economic security against old age and the unforeseen hazards

⁴⁰ *Ibid.*, p. 80-B.

of life, as in the United States. Social justice and economic welfare of the people are illimitable fields of action."⁴¹

In 1949 in *Moral and Political Orientation*, Laurel wrote the corresponding ideas as follows: "VIII. The essence of popular government is representation, renovation, and control. Republicanism, vitalized by social control for the promotion of the people's welfare is the desirable government for the Filipinos at this time."⁴² Then he continued: "The requirements of republicanism are compatible with a flexible form of social control by which a state is permitted to intervene in matters necessarily concerned with the promotion of economic security and social justice.... Socialization implies curtailment if not complete reversal of the principle of *laissez faire*, in favor of the social and economic planning so that the great mass of the people may have ample opportunity for work, live a civilized man's life, have homes, medical attention, modern education, including the amenities of life and social and economic security against old age and the unforeseen hazards of existence. Social justice and the economic welfare of the people are illimitable fields of action."⁴³

In the *Thinking for Ourselves* of 1958, on the other hand, the parallel ideas to those found in the *Birkenhead Manuscript* do not correspond to the wording in the later on a one-to-one basis. This is expected because *Thinking for Ourselves* was not written developing the ten items of Laurel's moral and political philosophy in the *Birkenhead Manuscript*, although the former also discussed republicanism.⁴⁴ It is, therefore, not necessary to quote the corresponding ideas in *Thinking for Ourselves*. However, the way republicanism was to be vitalized in *Thinking for Ourselves* ought to be discussed.

In *Thinking for Ourselves*, Laurel proposed the establishment of a National Economic Development Authority (NEDA) in order to vitalize republicanism. The NEDA was supposed to be "a device by means of which the administration can rise to levels of high statesmanship in attacking our (Philippine) problems."⁴⁵ To be established within the framework of the constitutional system, it was meant to be "the firm and legitimate extension of the

⁴¹ *Ibid.*, p. 79.

⁴² *Moral and Political Orientation*, p. 46

⁴³ *Ibid.*, p. 51.

⁴⁴ *Thinking for Ourselves*, pp. 60-66

⁴⁵ *Ibid.*, p. 30

executive power, directly responsible to, and subject to the supervision and direction of, the President. It shall be... his *alter ego* assigned to him to concentrate on working out solutions to major economic problems of the nation."⁴⁶ Among these problems were "mass poverty, the deterioration of families in numberless marginal farms, the hopelessness of entire communities living amidst eroded land, spent natural resources, badly exploited forest and fishing grounds or depleted mines, or those suddenly affected by techniques of production made obsolescent by new discoveries and inventions."⁴⁷ The NEDA could also enable Philippine society "to offer a positive counter-response to the threats of blandishments of communism." It could "undertake centralized direction and control of economic and social activities in order to provide that protection which, under the principles of social justice, should be equally and evenly extended to all groups in our hard-pressed society."⁴⁸

It is clear, therefore, that Laurel did not retreat from his original position in 1945 in his post-war books. The change was merely verbal; as far as substance is concerned, Laurel had been consistent. In fact, all his socio-economic ideas developed in the *Birkenhead Manuscript*, *Moral and Political Orientation*, *Thinking for Ourselves*, and *Bread and Freedom* are mere reformulations of the principle of social justice which Laurel had an occasion to define when he was Associate Justice of the Supreme Court in the leading case of *Calalang v. Williams* in 1940. Writing the decision of the Supreme Court in that case, Laurel defined social justice as follows:

Social justice means the promotion of the welfare of all the people, of adoption by the Government of measures calculated to insure economic stability of all the component elements of society, through the maintenance of a proper economic and social equilibrium in the inter-relation of the members of the community, constitutionally, through the adoption of measures legally justifiable, or extraconstitutionally, through the exercise of powers underlying the existence of all governments on the time-honored principles of *salus populi est suprema lex*. Social justice, therefore must be founded on the recognition of the necessity of interdependence among . . . diverse units of a society and of the protection that should be equally and evenly extended to all groups as a combined force in our social and economic life, consistent with the fundamental and paramount objective of the state of promoting the health, comfort

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*, p. 65.

⁴⁸ *Ibid.*, pp. 73-74.

and quiet of all persons and bringing about the greatest good to the greatest number..."⁴⁹

—V—

In the previous section, particularly with reference to the discussion of social justice, it can be observed that Laurel was an exponent of equilibrium or balance. In his definition of social justice he stressed the "stability of all the component elements of society through the maintenance of a proper economic and social equilibrium in the inter-relation of the members of the community."

The idea of balance or equilibrium is, in fact, a very prominent aspect of Laurel's political philosophy. As we shall see more concretely later, it is the principle which underlies all his ideas dealing with the proper relationship between liberty and authority; local and national government; the Executive, the Judiciary, and the Legislature; church and state; the majority and minority parties; labor and capital; and nationalism and internationalism.

Laurel is a champion of human liberty. "Freedom," he affirms, "not slavery, nor subjection nor subservience to the will of another, is the natural God-given status of a man and of a Nation."⁵⁰ As Laurel understands it, freedom has two aspects — individual and collective. Individual freedom is "physical, intellectual and moral development without unnecessary restraint or curtailment." On the other hand, collective freedom is "emancipation from alien bondage or foreign control in the administration of the country's internal and external affairs."⁵¹

Although Laurel believes in freedom, he also believes in authority or government. He states:

Regardless of the form, once a government is established, it becomes the duty of each and every individual embraced within its pale to give it formal allegiance, obey its authority, abide by all laws and regulations promulgated through its manifold powers, and protect and defend its existence and integrity.⁵²

A good illustration of Laurel's position on liberty and authority is Laurel's comments on the *Sakdalistas*, a group of disgruntled

⁴⁹ G.R. No. 47800, December 2, 1940.

⁵⁰ *Bread and Freedom*, p. 66.

⁵¹ *Birkenhead Manuscript*, p. 83

⁵² *Forces That Make A Nation Great*, p. 10.

people who revolted in the 1930's. Laurel recognized that the *Sakdalistas* did advocate the overthrow of the government and the supplanting of the existing government by that of the labor and "humiliated" classes, but Laurel also recognized that there were good elements, too, in the *Sakdalista* program, such as "economy in the expenditures of the government" and "honesty and sincerity towards the people on the part of those who are at the helm of the state."⁵³

After making the above observation, Laurel continues: "I would rather favor a complete exposure of its doctrines to the germicidal heat of the open sun. The denial to the organizers of this movement of the opportunity of expression is a policy which had the effect of enhancing rather than suppressing this radical attempt . . . Truth does not grow in mysticism or secretism (sic). It asserts itself in the open market and in the free trade of ideas . . ."⁵⁴

But after making this defense of freedom, Laurel qualifies his statements: "This is not saying that the government should entirely refrain from adopting repressive measures in the interest of the paramount right and duty of self-preservation of the state. What is here urged is the opportunity of expression, and no more."⁵⁵ In short, Laurel preferred the golden mean, not extreme liberty nor extreme authority. In fact, Laurel wrote:

As a sound principle of government, the individual must be taught the necessity of maintaining the requisite equilibrium between liberty and authority. Liberty is a blessing without which life is a misery, but liberty should not be made to prevail over authority because then society will fall into anarchy. Neither should authority be made to prevail over liberty because then the individual will fall into slavery.⁵⁶

On local-national government relationship, the principle of balance is also applied. Laurel urged the continuance of the policy of encouraging local autonomy. This policy, according to him, would develop civic patriotism among the citizens, a condition which would vitalize popular government.⁵⁷ "A local government," Laurel said, "should have all the necessary powers to enable it to perform its functions of local government and administration within the territorial limits. . . In clothing the local government with governmental powers, it must be given not an enumeration of

⁵³ *Politico-Social Problems*, p. 22.

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*, p. 23.

⁵⁶ *Commentaries on the Moral Code*, p. 78.

⁵⁷ *Local Government in Philippine Islands*, pp. 4-5.

powers, but of general grant, a presumption in favor of powers requisite to the performance of functions of local government."⁵⁸ But, Laurel also said, "unrestricted municipal home-rule is not advocated."⁵⁹

As for three branches of the government—Congress, the Presidency, and the Judiciary—Laurel again advocated balance. He said that the Judiciary should be independent of the other two branches. Likewise the Presidency and the Congress should be strengthened. Each of the three must remain separate from the others. But while the principle of separation of powers must be maintained, the other principle—check and balance—must also be preserved.

With regard to Church-State relationship, Laurel again followed the middle-of-the-road approach, well-illustrated in *Aglipay v. Ruiz* (1937), where extreme positions concerning religion and politics were rejected. The case involved the question whether the issuance of postage stamps containing the map of the Philippines, with the inscription "Seat XXXIII International Eucharistic Congress", by the Director of Posts, constituted a violation of the constitutional provision dealing with the separation of church and state in the Philippines. Laurel, then an Associate Justice of the Supreme Court, speaking for the tribunal, answered it did not. Yet Laurel also affirmed the principle of separation of church and state. However, he also stated that "our constitutional mandate is not inhibition of profound reverence for religion and is not a denial of its influence in human affairs."⁶⁰

Balance or equilibrium likewise figures in Laurel's view's on the role of and the relationship between the majority party and the minority party. Laurel said: "The defeated party in a democratic election is never an enemy of the nation to be destroyed. It has its positive role in the democratic process. . . . The Opposition. . . is as much bounden to serve the nation, particularly those who voted for it, as the majority is bounden to go ahead and try to carry out its program and policies endorsed by the greater number of the electorate."⁶¹

The "positive role" of the minority party, according to Laurel, is that of "principal guardian" of those who govern the political

⁵⁸ *Ibid.*, p. 275.

⁵⁹ *Ibid.*

⁶⁰ Vol. 64, *Philippine Report*, p. 201.

⁶¹ Jose P. Laurel, "Unity for Survival: An Appeal," *Lyceum of the Philippines Law Review*, Vol. II (July-September 1957).

system. It checks and countervails the majority party, and it offers alternative proposals to solve the problems of the nation. By performing these functions, the minority party becomes a necessary part of a democratic system; for democracy rejects the premise that one man, or one part, has the infallibility to know and to do what he or it may deem best for a people or nation."⁶²

On the other hand, the majority party has the responsibility of proposing and carrying out its program. It has the duty to see to it that the functions of government are implemented. It has the task of serving the people who elected it to office.

But in performing their respective roles, the majority and minority parties must not undermine or attempt to destroy each other as if enemies. They should not convert politics into "a bitter and deadly struggle for personal power," nor "assume the preposterous position that they could do no wrong."⁶³

In the Philippines, however, Laurel observes that the majority party and the minority party are engaged in a politics "almost close to the Kremlin fashion of life-and-death factional struggle."⁶⁴ Laurel says of the majority party:

The Majority is reduced to a vast plotting faction, concerned primarily not with working out solutions to national problems but with improvising stratagems to advance the interest of the faction, or to weaken and destroy everyone in the rival faction, which is the Opposition.⁶⁵

Of the minority party, on the other hand, Laurel observes:

The Opposition behaves in an even worse manner, as all of us have seen in recent years. Instead of studying seriously possible alternative solutions to national problems, the Opposition confines itself to the relatively easier pastime of concocting personal denunciations of those in the government or in downright character assassinations. When it is not engaged in this negative and destructive pastime, the Opposition or at least some of its members are often engaged in maneuvering to be admitted into the Majority ranks, to get for rewards some crumbs from the Majority table.⁶⁶

Laurel concludes that:

Obviously, we would inevitably end up in sovietism if we persisted on our present course, or did not make any serious and earnest effort to reverse the present trend in our country.⁶⁷ The thing to do, therefore, is to understand the real role of the

⁶² *Ibid.*, p. 6.

⁶³ *Ibid.*, pp. 7-8.

⁶⁴ *Ibid.*, p. 9.

⁶⁵ *Ibid.*

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*, p. 8.

Majority and the Opposition in a democracy and not engage in belligerent politics.

He continues:

We shall have to develop deliberately a genuine two-party system which should be more or less *balanced*⁶⁸ so that the Opposition may not be reduced to an impotent factor in the conduct of public affairs. This is important for the stability of our democratic system.⁶⁹

As for labor and capital, they are also analyzed in the light of the principle of balance. Laurel rejects the theory that labor is the only significant factor in production. This does not mean that Laurel is not sympathetic to labor. In an earlier section, it was already shown that Laurel advocated social justice, and he interpreted social justice, among other things as a social and political principle which permitted the government to raise the living standard of the workingman through intervention in the economy and society. Helping and promoting the welfare of the common workingman, however, should not be done at the expense of the property owner or the capitalist. "Labor and capital," Laurel said, "must remain, under our system, in productive partnership, subject to the overwhelming regulatory power of the State in the promotion of social justice and welfare. *A fortiori*, the negation of the institution of private property should be rejected as contrary to *Ius Naturale*. The socialization of property in general is a good thing but not the negation of private ownership."⁷⁰

In the discussion of nationalism and inter-nationalism, the same moderation is found in Laurel's analysis. An ardent nationalist who actively participated in the nationalistic movement in the Philippines, the Tanauan statesman had advocated consistently and fervently throughout the half century of his active public life: We should drink deep from the rich stream of Philippine history; we must study the lives of Philippine heroes, like Mabini, Rizal, Bonifacio, del Pilar, Jacinto, Luna, Burgos, among many others; we must learn to love and appreciate Philippine traditions; we should make ourselves familiar of Philippine geography, economy, society, and politics; in short, we must study, appreciate, and love our country, the Philippines, together with her culture and all she stands for.⁷¹ But, Laurel also counsels: "Nationalism ... should

⁶⁸ Emphasis supplied.

⁶⁹ "Unity for Survival..." p. 8.

⁷⁰ *Birkenhead Manuscript*, p. 54.

⁷¹ Cf *Assertive Nationalism; Forces That Make a Nation Great; Commentaries on the Moral Code*, pp. 8-14; 55-59; and 83-89.

not be permitted to generate into jingoism or anti-foreignism or a fanatical rejection of foreign influences that are useful, desirable and conducive to speedier economic progress or to the surer preservation of free institutions."⁷²

Besides, Laurel also says that the ultimate and ideal community of man does not end in the nation, for man's vision transcends this national community. This community, which has been man's dream throughout the centuries, is none other than the Commonwealth of Man, where all men are brothers under a government based on righteousness and justice.

VI

There is one more set of bi-polar concepts which figures strongly in Laurel's thought—radicalism and conservatism—which needs to be examined. It is discussed here separately because it appears to be the key to his political philosophy and behaviour.

The radical principle states that man should change his institutions when reason tells him that the institutions are already defective. Reduced to a singleword, it is *change*. The conservative principle, on the other hand, states that man should not change his existing institutions because it is dangerous to experiment or leave the beaten track. Reduced to a single word, it is *conservation*.

Laurel has a favorite quotation on conservatism. Taken from Virgil's *Aeneid*, it goes: "Keep close to the shore: let others venture on the deep." On several occasions, Laurel invoked this conservative principle.

In 1926, discussing the issue whether the new democratic methods of referendum, initiative, and recall should be adopted in Philippine local government, Laurel said: "The adoption of any form of direct legislation in the Philippines ought not to be forced unless circumstances shall warrant it. Radicalism, no matter how democratic, may prove detrimental to the islands. In politics as well in other activities of national import, we should 'Keep close to the shore: let others venture on the deep.'⁷³

In November, 1934, Laurel delivered a speech before the Constitutional Convention, entitled "The Proposed Bill of Rights." In this speech, Laurel, as Chairman of the Committee on Bill of

⁷² *Our Economy—What Can be Done?* p. 75 Cf. *Commentaries on the Moral Code*, p. 55.

⁷³ *Local Government in the Philippine Islands*, p. 286.

Rights, explained his position on the question whether or not to modernize the phraseology of the Bill of Rights in the light of new theories. Laurel proposed that the old phraseology be retained, resisting the arguments of a leading political scientist of that time, Dr. Maximo Kalaw. Laurel said:

We should not...be allured by new and untried dogmas and theories in the formulation of our Bill of Rights, and again I suggest that we adopt a conservative attitude in this connection.... This proposed Bill of Rights...is...a restatement of what is found in the Jones Law; and the Bill of Rights contained in this law is in turn, but a reproduction of similar provisions in American constitutions....It has become part and parcel of our jurisprudence and carries with it the interpretations given by the great jurists and statesmen who have vitalized its provisions. Again, it were better that 'we keep close to the shore; let others venture on the deep...'⁷⁴

In 1955, Laurel again invoked the Virgilian quotation in his *Moral and Educational Orientation for Filipinos*. He said that we must face boldly the problems involved in "the final synchronization of our *integrated* system of education with our integrated economic policy..., always keeping close to the shore without unnecessarily venturing in the deep—*litus ama...album alii tereant*."⁷⁵

Does it mean, then, that Laurel is a conservative?

Closer examination of his writings and behavior shows he was not invoking the conservative Virgilian quotation just for the sake of maintaining the *status quo*. When he felt a change of the institutions was necessary, he never hesitated to advocate change. Thus, Laurel proposed women's suffrage in 1928 when it was still an unorthodox idea.⁷⁶ His proposal to adopt a "state socialism" in the Philippines in 1945 and a National Economic Development Authority in 1958 certainly goes beyond what is found in the *status quo*.

Interestingly enough, in some occasions, he still invoked the Virgilian quotation, but in a modified form. For example, in his book *Procedural Reforms in the Philippines*, published in 1940, Laurel proposed a number of reforms in the procedural system in litigation. Laurel said:

Courts are generally conservative and are averse to radical departures from the trodden path. This conservatism, while it insures stability not infrequently is an obstacle to progress. Constructive conservatism with enough courage and audacity kept in the

⁷⁴ *Politico-Social Problems*, pp. 81-82.

⁷⁵ *Moral and Educational Orientation for Filipinos*, p. 72.

⁷⁶ *Assertive Nationalism*, p. 127

blood to advance when demanded by the time and circumstances is just about the correct attitude and frame of mind. This, I take it, has been the attitude of the Supreme Court. The innovations adopted are expected to improve upon the existing procedural system. More perhaps could have been done and more radical changes undertaken. But... *litus ama... altum alii ieream* (Virgil, in the *Aeneid*). By keeping close to the shore, it does not mean that we shall never venture on the deep.⁷⁷

The fact is that Laurel was an exponent of balance, as already pointed out earlier; and he preferred to avoid the extremes of radicalism and conservatism. The equilibrium he advocated, however, was not the static equilibrium of the graveyard. The type of equilibrium he envisioned was a dynamic one, a moving equilibrium which required continuous adjustment and adaptation. It had to be like that because he accepted the fact that human life and society are always in a state of flux; their nature is that they cannot remain static.

In the *Birkenhead Manuscript* which he wrote in Sugamo prison, Laurel gave away the key to his thought and behavior. He said: "Evolution, not revolution; reform, not reorganization; conservatism, not destruction; change but not annihilation; growth but not stagnation."⁷⁸ Elsewhere in the same book, he also stated: "As between red radicalism and white conservatism or the two extremes, I stand for 'pink liberalism'."⁷⁹

VII

Laurel's political philosophy is strongly suffused with morality. This fact will become clear upon examination of his ideas on government, law, leadership, citizenship, and international relations. Because of this, Laurel belongs to the same group of moral philosophers of the state such as Plato, Aristotle, Cicero, St. Augustine, St. Thomas Aquinas, Rizal, and Mabini. He cannot be grouped with Machiavelli and Hobbes. He certainly will not approve of Thrasymachus and Callicles, the egoists condemned by Plato in his dialogues, with their open advocacy of the right of might.

Laurel's idea of morality is best understood in relation to righteousness. For, as Laurel himself says, "the basis of morality is righteousness."⁸⁰

⁷⁷ *Procedural Reforms in the Philippines*

⁷⁸ *Birkenhead Manuscript*, p. 50.

⁷⁹ *Ibid.*, p. 53.

⁸⁰ *Moral and Political Orientation*. p. 28.

Laurel defines righteousness as follows:

Negatively, it is neither passion nor affectation nor ardor. Affirmatively it is an inner impulse by which we act or refrain from acting out of purity of motives, without fear or expectation of reward, but only out of respect—and reverence for the immanent law as we understand it, *ordinatio rationis*. However vaguely or inaccurately defined in this wise, righteousness implies devotion to truth, justice, and goodness. It also implies fortitude, benevolence, and courage in action.⁸¹ It is also the combined virtues of love, charity, rectitude, humility and beauty.⁸²

Righteousness need not be too difficult to grasp for it has been made explicit in various parts of the world. For righteousness is that which is common to the teachings and precepts of all the great religions, such as Christianity, Hinduism, Buddhism, Mohammedanism, and Confucianism. It is doing what is right and refraining from doing what is wrong.

Since morality is based on righteousness, to be moral, therefore, is to be just, good, magnanimous, charitable, humble, courageous, and truthful. The moral man must love God, honor his parents, lend a hand to his neighbor; he must not lie, steal, cheat, or resort to violence.

Laurel says that "there can be no good government regardless of its form, without morality."⁸³ In the *Birkenhead Manuscript*, he put his ideas more strongly: "Government without morality is gangsterism or banditry."⁸⁴

With regard to law, Laurel bases it likewise on morality. "Law" Laurel writes, "is that which differentiates between good and evil—between just and unjust."⁸⁵ It is law which safeguards honor, lives liberties, and estates. It is what prevents the reign of tyranny and anarchy. Laurel also says: "The aim and purpose of law is justice, and justice is administered through knowledge and ascertainment of the truth."⁸⁶

⁸¹ *Ibid.*

⁸² See Note 18 above.

⁸³ *Moral and Political Orientation*, p. 33.

⁸⁴ *Birkenhead Manuscript*, p. 90. This quotation is almost similar to St. Augustine's words: "Justice being taken away then, what are kingdoms but great robberies?" *The City of God* (New York: The Modern Library, 1950), p. 112, from Book IV, Chapter 4. Indeed, Laurel quotes St. Augustine in *Moral and Political Orientation* in discussing the topic "The Foundation of Good Government Is Morality. The Basis of Morality is Righteousness, Which is Divine." See p. 36.

⁸⁵ *Assertive Nationalism*, p. 154.

⁸⁶ *Procedural Reforms in the Philippines*, p. ix.

On leadership, Laurel said that it was implied from government or any political organization. "This leadership," he continued, "must be based on righteousness."⁸⁷

Laurel believes that the righteous leader will have an enduring leadership, and God will look upon him with benevolence. He says: "Not founded on deception, corruption, selfishness or vain-glory, his authority cannot but be blessed with the support and protection of Divine Providence. His administration, to be sure, may not have the pomp or glitter of splendid receptions and entertainments amidst multi-colored lights, but its stability and vigor will endure for being founded on the solid rock of righteousness."⁸⁸

If the leaders must be righteous or moral, it is also necessary that the citizens must be moral. "History teaches us," Laurel writes, "that nations rise and fall, succeed and fail, bloom and perish, in accordance with the underlying moral strength of their citizens. The citizens of good moral character are the ones who supply the food, the strength, the blood and the sinew in the life of nations. The defeat of France was due mainly to the softness and the lack of moral strength of many of the French people."⁸⁹

The citizens can be made moral through education. For after all there is a spirituo-moral aspect in all men. Besides, man is endowed with reason. Education, which is "pursuit of . . . truth, honor and justice,"⁹⁰ will, therefore, make man transcend or regulate the base passions which are also a part of man. If his reason is cultivated, he will see and know the reality of his nature. He will then realize that he must "bring harmony to his triple world: physical, intellectual and spirituo-moral." He will learn that he has "to give measured freedom to his biological and physiological needs to enable him to live and fulfill his mission in the physical universe; . . . to develop his intellect and bend it to the discovery and ascertainment of truth and reality . . . ; to commune with his God Who created him in the triple world in which he lives."⁹¹

Laurel agreed with Manuel Quezon that a moral code for Filipino citizens would help a great deal in developing in them

⁸⁷ *Moral and Political Orientation*, p. 33.

⁸⁸ *Ibid.*, p. 34.

⁸⁹ *Commentaries on the Moral Code*, p. xi.

⁹⁰ *Moral and Educational Orientation for Filipinos*, p. 14.

⁹¹ *Ibid.*, p. 29.

their moral character. Thus, when Quezon created a moral Code Committee and appointed Laurel as one of the members, the latter accepted the appointment with alacrity and participated in the deliberations of the committee very actively. The committee later formulated a moral Code composed of sixteen precepts.

Based on the traditions and ideals of the Filipino people, the moral code developed by the Committee was promulgated as Executive Order No. 217 on Aug. 19, 1939 by President Quezon. Known as the "Code of Citizenship and Ethics," it was meant to develop sturdy character in Filipino citizens through inculcation of faith in God, love and honor for one's country and parents, respect for the constitution and its republican and libertarian principles, belief in the dignity of labor and the sacredness of suffrage, among others.

Morality, however, is not applied by Laurel only to a national state, together with its government, leadership, and citizens, but also to international relations. Laurel writes: "This moral philosophy which is founded on righteousness should not only permeate man's private, social and public life but should also find practical application in international relations, if we are to give meaning at all to the voices that are heard from all quarters of the globe for a durable peace and greater understanding among people."⁹²

Morality in international relations implies the outlawry of aggression, war, and imperialism. For, "if it is wrong for a person to assault and despoil his neighbor," Laurel argues, "it must also be wrong for millions of men banded together under the name of their state to assault and despoil the neighboring millions bearing the name of another state."⁹³

Laurel summarizes the significance of morality in individual, national, and international life as follows: Righteousness is the key to brotherhood among men and to lasting peace among nations. It is the moral guide and root principle for the individual whatever be his religion; it is the norm of social morality if egoism is to be partly conquered, altruism is to bloom in individual efforts, and sacrifices to be heroically met for those other than self; it is the rock foundation of good government; it is the basis of international morality which demands periodic reconciliation of creeds, and cooperation and joint action by all on the basis of loving

⁹² *Ibid.*, p. 35.

⁹³ *Ibid.*, p. 36.

enthusiasm for humanity and for universally cherished values and the establishment, finally, in the words of Tertullian, of 'One Commonwealth, the World...' ⁹⁴

VIII

Laurel's political philosophy is not original. His idea of democracy has much in common with that of John Locke, James Madison, Baron de Montesquieu, Jeremy Bentham, and John Stuart Mill. His sense of morality and righteousness has strong affinity to that of Plato, Cicero, Christ, Buddha, Confucius, and St. Augustine. His nationalism was derived from Marcelo H. del Pilar, Jose Rizal, Apolinario Mabini, and Manuel Quezon. His internationalism was influenced by his reading of Stoic, Christian, Hindu, Buddhist, and Confucian literature and of international law. His liberalism was inspired by Oliver Wendell Holmes. His conservatism goes back to Virgil, and his idea of flux and evolution is akin to that of Charles Darwin and Herbert Spencer. His concept of equilibrium has Aristotelian overtones. And finally, his concept of man was greatly influenced by Alexis Carel. ⁹⁵

But if Laurel is not original, he has an amazing capacity to absorb and synthesize diverse ideas, both Western and Eastern, classic and modern. An electric thinker, he was able to choose the best in European, American, and Asian thought and traditions and blend them together into a political philosophy whose range and orbit begins with man; runs through the gamut of the family as the beginning of the State, the nature of popular government, the relationship between the sectors of society and the branches of the government, and international relations; and culminates in God. Laurel, a lucid writer, can also be read and understood even by a high school student. A scholar always seeking the light and truth, Laurel also had been able to describe, explain, and justify popular government or democracy with clarity, realism, and sympathetic understanding.

⁹⁴ *Ibid.*, p. 38.

⁹⁵ In the *Birkenhead Manuscript*, on page 97, Laurel wrote: "I recommend the reading of *Man, The Unknown*, by Alexis Carel, the greatest book of the century, in my opinion." Regarding the other men who influenced Laurel, it is difficult to know how Laurel was directly influenced. It is a fact, however, that he mentions them by name, or quotes from their writings, or paraphrases their ideas, in practically all his writing, particularly in *Commentaries on the Moral Code*, *Moral and Political Orientation*, *Bread and Freedom*, and *Moral and Educational Orientation for Filipinos*.

Laurel's political philosophy is significant for at least three reasons. First, his political philosophy offers a systematic and eloquent defense of democracy, which supporters of democracy should strive for or live by. Laurel's emphasis on the dignification of man as a prime concern of the state and his principles of representation, renovation, and popular control are in accordance with traditional democracy. Second, Laurel teaches that man, the national state, and the international organization should aim at the equilibrium of the various forces and elements which compose them not to effect robot uniformity and static stability which degrade man but a unity in diversity and a moving equilibrium which respect and dignify man with his triple nature and peoples with diverse cultures. And finally, Laurel prescribes that righteousness should be the basis of government, law, and politics, whether national or international. Righteousness is a command of God, and as Cicero had put it eloquently several centuries ago: it is the foundation of law, making it eternal and universal, the same for Rome or Athens or any other city of the world, regardless of time, which no Senate or Parliament or human sovereign can repeal or change.

IX

Laurel stated in the *Birkenhead Manuscript* that he formulated his "religious and political creed under the title *For God and Country*,"⁹⁶ thereby suggesting that his work was a homage to God and his country. There are ample evidences of his piety and patriotism in his writings.

To God he gave his homage by recognizing His existence and marveling at His works. Laurel believed that man was created by God, and that man should glorify and serve God. God, Laurel also believed, is just, and His law is righteousness. All these ideas are stated in the *Birkenhead Manuscript*, *Moral and Political Orientation*, and *Bread and Freedom*.

To his country, Laurel showed his devotion by justifying and championing the principles and institutions of democracy. In fact, he served in the Constitutional Convention which drafted the Constitution of the Republic and in all the branches of the government of the Republic—in the Cabinet, in the Legislature, in the Supreme Court, and in the Presidency—for half a century of his

⁹⁶ *Birkenhead Manuscript*, p. 108.

three score and eight years of his life. He wrote books describing and extolling the Republic, taught in various schools in order to serve the youth of the Republic, and founded the Lyceum which would inculcate love for *Veritas et Fortitudo* to young men and women who later on might be called upon to shoulder the responsibility of leadership of the Republic.

In 1958, realizing that death was drawing near, Laurel wrote and published his last book—*Thinking For Ourselves*. In its introduction, he wrote in moving and eloquent lines his patriotism: "On this my 67th birthday anniversary, I realize only too clearly that the sun is quite low on the horizon. But my gratitude to our people for all the kindnesses they have extended to me is not yet fully amortized; perhaps it can never be. Meanwhile, there is still time and there are limited energies left, love for the nation and race keeps stirring the tired heart and mind, one can but go on, however feebly, giving one's 'last full measure of devotion' to our suffering country which Rizal loved so much."⁹⁷

⁹⁷ *Thinking for Ourselves*, p. 4