

Semestral Report

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About the Scholar

I am Zharmai Garcia, a 1st year law student. Last semester, I have narrated about my experiences in my most crucial adjustment phase. This time around, I shall be recounting my bitter-sweet 2nd semester days and, hopefully, try to make good sense out of it.

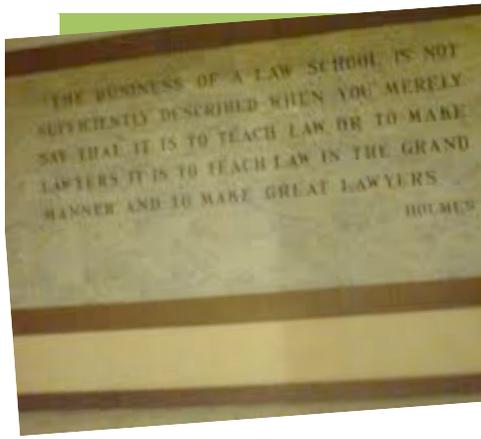
Admittedly, being granted a scholarship isn't all too easy. I am everyday reminded of the trust reposed in me by my benefactors. In all recitations that I made and exams that I took, there was always this little voice at the back of my head telling me to get at least a 2.00. It was challenging, and it pressured me sometimes. But in retrospect, I would say that it pushed me to strive harder than the other people in my class.

All told, I shall now give a written account of what made my 2nd semester seemingly unforgettable.

(The statements and views expressed herein do not necessarily reflect the views of the College and its members.)



My 1st year may not have been the best year of my life. I may not have been very happy about it. But it kept me contented. And I wouldn't have exchanged it for anything less tortuous.



Myth No More!

“The gods had condemned Sisyphus to ceaselessly rolling a rock to the top of a mountain, whence the stone would fall back of its own weight.”

The Myth of Sisyphus, by Albert Camus

I imagine myself being condemned to roll a rock atop a mountain, much like Sisyphus, only to watch it roll down the slope each time I reach the peak. That is pretty much how my 2nd semester felt like. It was dragging, tiresome, and it seemed hopelessly unimaginable for me to get out of it alive. I doubted my capabilities, as well as the very reason why I

was studying in the first place. I asked myself the same mind-boggling question that most of us in that school would ask himself – “What am I doing here anyway?” I lost all hope of regaining strength and of finding meaning in what I do. Everything became utterly dry, dull, and rough.

If I say that what I went

through (and what I still am going through) was “difficult”, it would be an understatement. It was not anymore a battle of who knows better than the rest nor of who understands things faster than the others. It was a battle with your own self. Studying required memorization, analysis, and comprehension. However, the most difficult part of it all

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was endeavoring to stay in the race – to stay focused, motivated, and disciplined. When one goes to school only to be hurled with professors’ invectives and then goes home to see a pile of readings taller than one is, quitting suddenly becomes a highly-attractive option. I

wasn’t spared. I had actually thought of quitting – of leaving all dreams of becoming what I covet the most.

A new semester was a new start, I thought. The lineup of subjects that I had was manageable, I claimed, but I

never thought that I would have a problem with the lineup of professors. One of them was a former professor, and he gave a really challenging workload once again. One of them was a legendary terroristic professor and I never imagined that I would get through him alive.

One of them is a legend in the college, the other one was kind and humble, while the last was, well, incomprehensible. As with any other “first few days of school,” I had to adjust to their teaching styles and to the subject matter.

The next few months came by in its routinely fashion – waking up, preparing for school, occasional bad recitations, going home, reading, reading, reading, reading, sleeping for a few hours, waking up again... It was very much cyclical. I was not happy anymore with the torture that I got myself into.

Much to my surprise, it wasn't only me who felt the same way. A lot of us within the same college would get into this I-do-not-know-what-I-am-here-for phase. It was, after all, normal. I was told that it was better for me to undergo that phase early in my law school life than to suffer it in my fourth year.

I do not know how I regained my zest in what I do. I do not even know if I have actually fully recovered from that “crisis”. I just took it one day at a time. Now I understand that the key is to enjoy each and every moment that I am tested – to love being tortured.

I am again reminded of Sisyphus. Suffering is relative – some may see it as a curse, others may see it as an opportunity. Each of us has his own rock to roll up the mountain – it may be one's job, relationship, career, or school life. Nobody said that reaching one's destination is always easy. But that struggle to the top, that moment when I tediously wade through my pile of readings in caffeine-laden and sleepless nights, leaves me contented. I do not have to be always sure of what I know and of what I do. I do not always have to like what I do in the first place. At the end of the day, it is a personal battle – it is I who will say whether or not

I won, it is I who will tell whether or not to quit.

I do not suppose to make an impression that law school is nothing but a torture zone. After all, the first year days are supposed to test me if I could stay in the law school. As I recount the days and prepare for more mind-squeezing ahead, I shall not forget how the horrible experiences that I had contributed to make me a lot tougher and more ready to face more challenges ahead of me. My 1st year may not have been the best year of my life. I may not have been very happy about it. But it kept me contented. And I wouldn't have exchanged it for anything less tortuous.♥

“One always finds one's burden again. But Sisyphus teaches the higher fidelity that negates the gods and raises rocks. He too concludes that all is well. This universe henceforth without a master seems to him neither sterile nor futile. Each atom of that stone, each mineral flake of that night filled mountain, in itself forms a world.

The struggle itself toward the heights is enough to fill a man's heart.
One must imagine Sisyphus happy.”

--- The Myth of Sisyphus, by Albert Camus

My Activities: In Retrospect



Some Cartoon I found over the Internet

The internal battle between myself and my will seemed to have coincided with some of the craziest, anger-evoking, and shocking events transpiring in my local environment as well as in the national arena.

November 2009

Honestly, I looked the most haggard at this month of the year. The sleepless nights took their toll on my health, as can be gleaned from how I looked. My eyebags were huge and they scream, "I need sleep right now." I was labeled "Ms. Stresstabs" by most of my friends. I hated it, for all intents and purposes. But I thought that I would gladly sport a sleepy look anytime than to be all-too-pretty yet be embarrassed with really illogical and sub-par outputs the next recitation day.

On a more serious tone, November was, once again, a time for adjustment (makes me think, when will adjustment phase actually end?). I initially thought that there was really nothing into November than simply gauging the types of

questions that the professor throws, jibing once body clock to the new schedule, and adapting one's reading pace to the caseload given by the professor. It felt like it was June once again, only that I knew how to read selectively this time.

By the end of the month, it was clear that it was a month whose events would etch in Philippine history an irremovable scar. I speak of the Maguindanao incident – dubbed by the Committee to Protect Journalists as the "single deadliest event for the press since 1992." The massacre and the circumstances surrounding it was, I believe, an utter disregard for the "rule of law" and a thousand steps backward from the politico-legal maturity that localities in our country are supposed to have or at least sport. The killing itself and the ignominious way that it was conductive, in my opinion, is a repulsive form of violation of human rights.

The incident, shocking as it was, left a lot of debatable issues. Notable in the Maguindanao incident was the reaction of the

previous administration in dealing with the legal and political aspects. By virtue of Presidential Proclamation 1959, the Province of Maguindanao was put under the state of martial law. It also suspended the privilege of the writ of habeas corpus (which is the privilege to inquire into the manner of involuntary restraint and to relieve a person from such restraint if illegal per the 1919 case of *Villavicencio v Lukban*) within the said area. This was in view of the President's power under the 1987 Constitution to suspend the said writ or to place the whole or just a part of the country in martial law when there is an invasion, rebellion, or when public safety or order requires it. Basically, PP 1959 was grounded on the fact that armed groups in Maguindanao have resisted government troops, and as a result, the Executive branch was deprived of its powers to enforce our laws and to maintain public order and safety – the gist of the crime of rebellion in the Revised Penal Code. It was also grounded on the deterioration of the judicial system and the loss of function of

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the government systems in the area, and it was for the purpose of suppressing lawless violence and restoring peace and order.

Although lifted a few weeks after, arguments against the legality of the proclamation include the fact of the existence or commission of the crime of rebellion on which the proclamation itself was based were aired. Concerns over the impact of the incident to the 2010 national and local elections were also raised. On our part, my block participated in the candle-lighting ceremonies held at the EDSA shrine for the victims of the massacre as well as with the local UP march for justice for the “death of the rule of law.”

To date, the criminal case/s against the accused-members of the Ampatuan clan are pending.

December 2009

Not having moved on from the incidents last month, the University of the Philippines continued with its Christmas tradition of the Lantern Parade while the College of Law held its tribute to its personnel. Before the lantern parade, I was one of the volunteers who helped out in the luncheon for the personnel of the College of Law and the UP Law Center. Right after the salo-salo, my blockmates and I proceeded to the queue in preparation for the Lantern Parade. The “lantern” of the UP College of Law, being traditionally relevant to the socio-political milieu of the time, consisted of a mural depicting the Maguindanao Massacre followed by a symbolic replica of effigies of

the victims weighed in the “scales of justice” against money and might.

The crowd was stunned, the festive mood that filled the audience a few moments before presentation of the College’s “lantern” was turned into awe, reminiscence, anger, sympathy, (or perhaps lack thereof). The lantern spoke to the crowd that what had transpired should not be forgotten amidst festivities of the holidays. The rest of the parade, however, ended on a lighter and happier tone especially as the superb lanterns made by the students of the College of Fine Arts were presented to the crowd.

The celebration ended with a fireworks display. My blockmates and I parted for the last time this year only to see each other again in class after the new year.

January 2010

We were back to school once again. Although I wished that the Christmas breaks were longer, I managed to drag myself to school everyday with the prospect of an approaching summer vacation. Nevertheless, I had to remind myself that I had hundreds of cases to summarize in my digest notebooks for Obligations and Contracts class and that I still had to edit the reviewers that I was making for the Bar Operations Academics Committee.

Yes, I joined the Bar Operations Academics Committee. As a member, I made a part of the bar reviewer for the civil law subject

of Persons and Family Relations. I was assigned to make an outline of the provisions and case in Property Relations Between Husband and Wife – admittedly my Waterloo in the Persons course. It was fun! I have always been making reviewers for myself and for my friends since college and I finally found a way to make my interest and skill to good use. In making the reviewers, I had to be really careful against errors – a single error can be translated to demerits in the scores of a bar examinee. I also sifted through cases by the Supreme Court on the civil law subject in order to trace the developments of certain concepts and principles.

Another highlight of my January was the Malcolm Madness. Every year in the College of Law (supposedly every December), students stage the Malcolm Madness – a talent show, comedy, and parody in one. I helped out in the preparations for the presentation of my blockmates in the show. It was tedious as we had to go out of our schedule just to help out. But it was rewarding, in general, especially when the “judges” and the audience appeared to have liked the presentation of my batch.

February 2010

February came by in its busy fashion. There was nothing in this month besides reading cases and meeting digest deadlines. Mid-February, however, I was alarmed by the fact that I still have not recited for my Legal Theory class. I found it hard to get a good timing for my recitation. Topics in Legal

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Theory class were concepts like Law in its philosophical sense, Force, Justice, Morals, and the like. The discussions were not exactly what we urgently needed in the bread and butter courses but I learned a lot. At the end of the semester, fortunately, I was able to garner 3 good recitation grades for this subject which merited an exemption from taking the final examinations. This translates to more time studying for the other subjects.

from the “tambyolo.” Moments before my turn, I felt the jittery feeling that I had before I took the Law Aptitude Examinations – it was scary. Thankfully, I was able to pick easy questions. I was able to answer in a satisfactory manner (or so I claim because my other classmates were way better than me). The sleep that I had when I went home after the oral exams was the most “magical” sleep that I’ve had. Finally, after 9 months, I was finally able to say hello to my summer vacation.

March 2010 to summer vacation

March was HELL MONTH. By the beginning of the month, it was clear that I had to start preparing for the final examinations – the Criminal Law 2 exams being, according to “legends”, one of the hardest. It was hard because there were just so much elements of crimes in the law. (What made it more unbearable is that it took a long time before grades in Criminal Law 2 came out so that all of us had no clue whether or not we passed the exams, or the subject, at that.) I was not able to finish answering all of the questions in my exams in Constitutional Law 2. I was okay with the Legal Profession (Legal Ethics) examinations although I wish that I could have done better. And finally, I had to prepare for the oral examinations for Obligations and Contracts – my 5 unit class, the prerequisite for all other civil law courses up to 4th year.

I would like to think that Law School changed my view of summer vacations. It meant freedom in its naked concept. I had time for myself once again. I had time to think of not thinking. And I had time for other things that were dear to me.

In sum, my 1st year in law school was one hell of a ride, colloquially. It was full of twists, turns, and surprises. I had my fair share of suffering and sheer joy. First year was fun. If given a chance to redo it, I would probably live through it just the way I did. ♥



Candle Lighting at the EDSA Shrine for the Maguindanao Massacre Victims



Christmas Luncheon for the Personnell and Lantern Parade December 2010



THE SCHOOLYEAR THAT WAS

This schoolyear, I learned not just because there were a whole bunch of new ideas and subjects that were thrown at me or that were forced in my brain. My outlook became so much more different now than it was a few months before. I became analytical and more conscious of the legal impacts of the policy decisions of the government. Personally, I came to know my limits and I reevaluated my dreams and aspirations. But it doesn't end here. I have a few more years to go before graduating. This means that I have more photocopies to chew on, more backaches from the "I-slept-while-reading" position, and more bad recitations to bring me down. As earlier espoused, a good thing about being an EAP scholar is that I am being pushed (or so I claim) to be an achiever in my own respect despite the terrible experiences. It has been my honor to receive an EAP scholarship grant. I hope that through striving to become academically-excellent and socially-aware, I do justice to the cause of the EAP. I shall be forever humbled and grateful for this opportunity.



Malcolm Madness



With some of my blockmates – looking harassed but still smiling

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