

file:judicial1.htm

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a9f07df09137/>

Judicial Ethics SCANNER Normal JOJO 2 8 2002-01-14T03:22:00Z 2002-01-14T03:22:00Z 1 386 2201 SC 18 4 2702 9.2720 120

JUDICIAL ETHICS

1. THE ROLE OF THE JUDGE

In administering justice, the judiciary decides controversies between the party litigants. At the same time, it also contributes to the establishment of the Rule of Law without which there will be chaos in the community. What is more significant, however, is that the judiciary achieves such goal by relying on the moral force generated by the quality of its work in administering justice. It has been pointed out that:

Among the three powers of government, the judiciary is in the material sense the weakest. Although its function in society is as noble and important as the ones entrusted to the legislative and executive powers, and there is none loftier that our mind may conceive or to which the most ambitious heart may aspire, it needs the active and positive help of other agencies to make it effective. Congress must provide for the adequate budget, and the executive power the necessary force to make effective the orders and decisions of tribunals.

To compensate for that comparative physical weakness of the judicial power, it is necessary that judges and courts should acquire the unbounded moral force which springs from the general faith and confidence of government and people alike. That moral force, although intangible, immeasurable and imponderable, is as effective as any cosmic force, if not more. We hold as an axiom that spiritual energy is stronger than atomic energy, the mighty basic force of material universe. But to obtain and retain public faith and confidence, it is necessary that courts and judges should show by their acts that they are actually entitled to such faith and confidence. Recalcitrant insubordination and indiscipline are not the means. On the contrary, they will only provoke public suspicion and distrust, if not popular wrath and condemnation.¹

To gain and maintain such confidence of the people, the Judiciary must, in the words of the Code of Judicial Conduct, be 'honorable, competent and independent.'

These are the same qualities that every judge must possess. Section 7 (3), Article VIII of the Constitution ordains that 'a member of the judiciary must be a person of proven competence, integrity, probity, and independence.'² The Code of Judicial Conduct adds that 'a judge should be the embodiment of competence, integrity and independence.'³ It is the judge who gives flesh and bone to the judiciary. Although the court over which he presides may be a humble one, it is part of the legal system of the land. As pointed out above, it is necessary that courts and judges should show by their acts that the judiciary is entitled to the faith and confidence of the people.

¹ Talabon v. The Provincial Warden, 78 Phil. 599 [1947].

² Code of Judicial Conduct, Rule 1.01.

3 Ibid.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.