

IDEAS 90

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Debate
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THE 90th INTERNATIONAL ONLINE TEACHERS SOCIETY ESSAY CONTEST

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MOVING THE WHEELS OF JUSTICE-A TRUE CHALLENGE

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Justice delayed is justice denied, so goes the legal maxim that all courts in the world need to uphold at all times. Those who seek justice deserve to get it in the most forthcoming and express manner possible. However, with the way delaying tactics can be so readily employed along with several technicalities, justice often fails to be administered in a manner that an aggrieved party would definitely benefit from. The more loopholes you or your lawyer/s can find, the slower the wheels of justice against you will turn. Great for you, but a long tenure of suffering for the other party.

There have been stories of individuals so desperate about getting any justice for their causes that they take their own lives if only to prove a point: that they have sought justice and failed to find it. Such unfortunate events smack of the hypocrisy of the entire justice system. We have Lady Justice holding a scale in one hand and a sword in the other, in addition to having her eyes blindfolded. This image signifies that regardless of any consideration, justice is to be meted out with complete impartiality and decisive action. To tip the scales of justice in one's favor is to win a case, but not necessarily to prove that one side is righter than the other.

We all have heard of legal battles where the one with less financial merit, political influence or social stature is brought to the gallows. Then, perhaps at a more opportune time, they get their cases reopened and they are tried all over again. Maybe, they are set free but their years spent in prison are wasted. One can only pity such individuals, but what can we do? We can't all afford the best lawyers, and pro-bono legal defenders are few. One can only hope that victims of such eventualities ultimately get the justice they deserve by some stroke of fate-or luck.

Let us hope that our future breed of lawyers decide to have their pockets filled with memories of the people they've helped obtain justice rather than the countless bills that they get paid with. Let's pray that someday, lawyers will be more concerned about helping their fellowmen seek true justice rather than about winning case after case to have lots of money to line their pockets with. It is indeed difficult to use one's resources to seek redress for a client who has nothing to give or pay you back, but the fulfillment of knowing you've brought order where there's chaos and justice when there seems to be none is a nobler cause. Perhaps if all the world's lawyers decided to handle at least two cases a year for free, we'd have less congested prisons. But that's wishful thinking, because it would mean we'd have congested legal courts!

QUESTIONS FOR DISCUSSION:

1. Elaborate on the legal maxim: Justice delayed is justice denied.
2. Would you want to become a lawyer? Why or why not?
3. What are the causes of delayed justice? Be able to cite specific examples, if needed.
4. Talk about a very controversial legal case that you know of in class. Discuss the details and the accompanying circumstances.
5. Do you think the life of a lawyer is exciting and challenging/? Justify your answer.



DIE TODAY, LIVE ANOTHER DAY

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Shakespeare's play entitled Hamlet tells the story of how Hamlet, a recently deceased king's son, decides to pursue justice for the sake of his father. His mother Gertrude so quickly went and married Claudius, whom Hamlet suspects was behind his father's killing. The crazy twists and turns in the story have us following Hamlet through several events that lead to the bloodbath that happens toward the end. Hamlet eventually gets revenge for his father but another man who's equally hungry for the throne helps himself to the vacant seat. Sure, someone ends up happy and justice is served, but what a twisted way to get all that justice.

In real life, it can be as difficult to seek justice. Many among us have had to undergo many trials—literally in a court of law or virtually in another court of battle—to prove themselves and their virtue to others. At work, we encounter many injustices, too. Women have had to work their way up in order to gain equal footing in the workplace with their male counterparts. Race, color and religion can prove to be hindrances to getting recognized for your innate talent and skills. We've made great strides in technology, but have made little to no progress in how we look at one another. For us, the best things to be enjoyed are not within our radii; they can only be found somewhere else.

However, it is still upon us to continue to strive for justice in whatever way we can. Justice may be elusive, but that doesn't mean justice doesn't exist. Let the evil ones enjoy their supremacy while they still can, and our day will also come. The reason that a week begins with a Sunday and ends with a Saturday is because we need to face every period of our lives with the sun in our stride and to end every chapter with rest for our weary souls. Then comes another week, and we have to face another fight. It's the same with justice. We may face any challenge with great hope, but there will always be the opportunity to regain what we have lost with some form of rest or respite in the end. Then we need only to regain our spirit for yet another battle ahead. Sometimes, we need to retreat in order to regroup, instead of going for it in full throttle.

Justice is not always obtained swiftly and in one solid motion. Sometimes there's a need to cut your losses, reassess your situation and find out how you can get it from a different angle. That's what lawyers are for, and that's what we can definitely learn a lot from. Fight for justice, but do it with dignity and silent courage. Perhaps Lady Justice would peek under her blindfold and consider what you need!

QUESTIONS FOR DISCUSSION:

1. Have you or someone you know ever experienced injustice in any way? Be able to share that experience in class.
2. What is your opinion of "vigilantes"? Is summary execution a better alternative when justice is not served?
3. What is your opinion on "kangaroo courts"? Can they ever compare to a true court of justice?
4. Do research on the treatise Malleus Maleficarum (The Witches Hammer). Why do you think Inquisitors in the Dark Ages were so easily misled into identifying, prosecuting and dispatching of witches based solely on superstitious fallacies?
5. Do you think if such a publication were to come in this day and age, would there be a change in the way people would interpret it and promulgate justice against those who are "different"?



A PERSONAL NOT-SO-PERSONAL EXPERIENCE WITH JUSTICE

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A friend of mine and her family had a brush with the law several years ago.

Her father and her husband were once named respondents in a court case where they were accused of assaulting a man and his wife. This friend's brother-in-law was also accused of physically inflicting injuries on the couple. What was funny about the case that the couple brought to court was that it was only instigated because the couple didn't like what my friend and her family were doing to the dirt road in front of their house during the summer: they were simply hosing the dirt road down to prevent dust from getting into the house (they had an asthmatic kid in the house) and also to lessen the heat that the summer days brought. The plaintiff (the couple) decided to make a big deal out of the whole thing and confronted my friend's family, and when my friend's family wouldn't back down, the couple erupted in anger and hit my friend's dad, who was only trying to pacify them.

I am not telling this story in a biased point of view. I was there when the argument turned heated and the man and his wife started hitting everyone in my friend's family who was merely trying to separate my friend and the woman. Then in court, the man and woman falsely testified to being manhandled by my friend's dad, husband and brother-in-law. The man even concocted a cockamamie story of his right knuckle getting broken by my friend's dad while they were having the altercation.

For one thing, my friend's dad was already old and weak and had a frail body. For another, if my friend's husband and brother-in-law had indeed mauled the man, he would have definitely sustained a lot more than just a few broken bones in his right hand. And then there was the matter of the witness they presented, who wasn't even in the vicinity when the incident happened.

I volunteered to testify in my friend's favor. The case dragged on for more than two years, but eventually the judge promulgated justice in my friend's family's favor. His decision for doing so was based on the evidence clearly laid out in my friend's lawyer's arguments, plus the fact that the case just stemmed from an old grudge that the man had harbored against my friend's family. The man had even threatened to lob a grenade into my friend's family backyard in his anger, and the court found this mitigating to conclude that the man had a hidden agenda in instigating the case.

I was glad that despite the length of time that elapsed between instigation and case resolution (what a waste, really!), my friend's family was victorious. Yes, justice still exists. It does for those brave enough to seek for it.

QUESTIONS FOR DISCUSSION:

1. Would you testify in court for a friend? Why or why not?
2. What do you think was the agenda of the couple in the story for bringing the case to court?
3. Was the judge right in dismissing the case? Justify your answer.
4. How should a judge promulgate justice? Is it easy to have such a job?
5. How far would you go to obtain justice? Be specific, if necessary.



INJUSTICE - UNFAIR TREATMENT

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I am definitely sure that each one of us has suffered injustice and also unfair treatment from other people. Who among us wants to suffer this grave feeling? Yet, people do it to others very often. We never wanted to suffer from injustice, but most of the time it happens. Yes, we experience unfair treatments like persecutions coming from our wrong decisions; sometimes there are even threats and harassment too.

It is difficult to come up with an exact definition of injustice for it comes in various forms wherein human rights are violated. There is the political injustice which involves the violation of individual liberties. This also includes denial on the voting rights or due process. There is also the inadequate protection from cruel and unusual punishments. In this connection, we talk about unfair procedures and this also involves the political systems. Most of the time, they are not allowed to be given the voice and representation in the process and decisions that affect them.

Abuses can be termed too as injustice, which is, getting unfair treatment from people and even from your loved ones. The worst part of it is when you are accused of something that you have not done. In some extreme cases, we suffer injustice when charged with a crime that we did not commit. Another concrete example of injustice is racial discrimination. This comes from negative thoughts that spring out of our minds and hearts and we should actually always strive to clear them away from our minds.

Then we also have the social injustice that is shown through racial discrimination. Injustice really affects a person but what do we really get out of an unfair treatment? Can we seek justice in our own way and in our own right? When we give a lot of thought for injustice, it creates that inner turmoil that we cannot control. Most of the time people seek for revenge. I think this will make the situation or the matter worse than ever. But then, you also have to stop and think, if it is worth your time and energy to seek revenge for the injustice that was done?

Injustice, I think should not be dealt with revenge. I believe that we have to put aside and eradicate all other rational feelings and stop dwelling on it. This will only pave the way for unhealthy thoughts, stress and will lead us to confusion. Likewise, this will prove harmful and detrimental to our health too. For there is a saying that goes, "Justice is revenge disguised by mankind's own arrogance.

Injustice is the practice of lack of love because God is not in their hearts. We cannot blame Him for that for He is a just and merciful God. The primary aim and absolute priority of human society should then be to fight injustice so we could prevent people from causing suffering and pain in social and personal interaction and relationships. All these will put a stop to injustice and unfair treatment.

Questions for discussion:

1. How can we deal with injustice?
2. Do you always resort to revenge just to be able to seek justice? Why or why not?
3. Can we seek justice in our own right? How?
4. Why is injustice and unfair treatment predominant nowadays?
5. Have we experienced injustice or unfair treatment? How did we deal with it?





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